

FEAR AND FEROCITY IN HAITI, BY AMY WILENTZ

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# THE NEW REPUBLIC

unmasked • Perplexing pornography, by Alan Wolfe • Garry Wills on Mencken

## Who gets to fight?

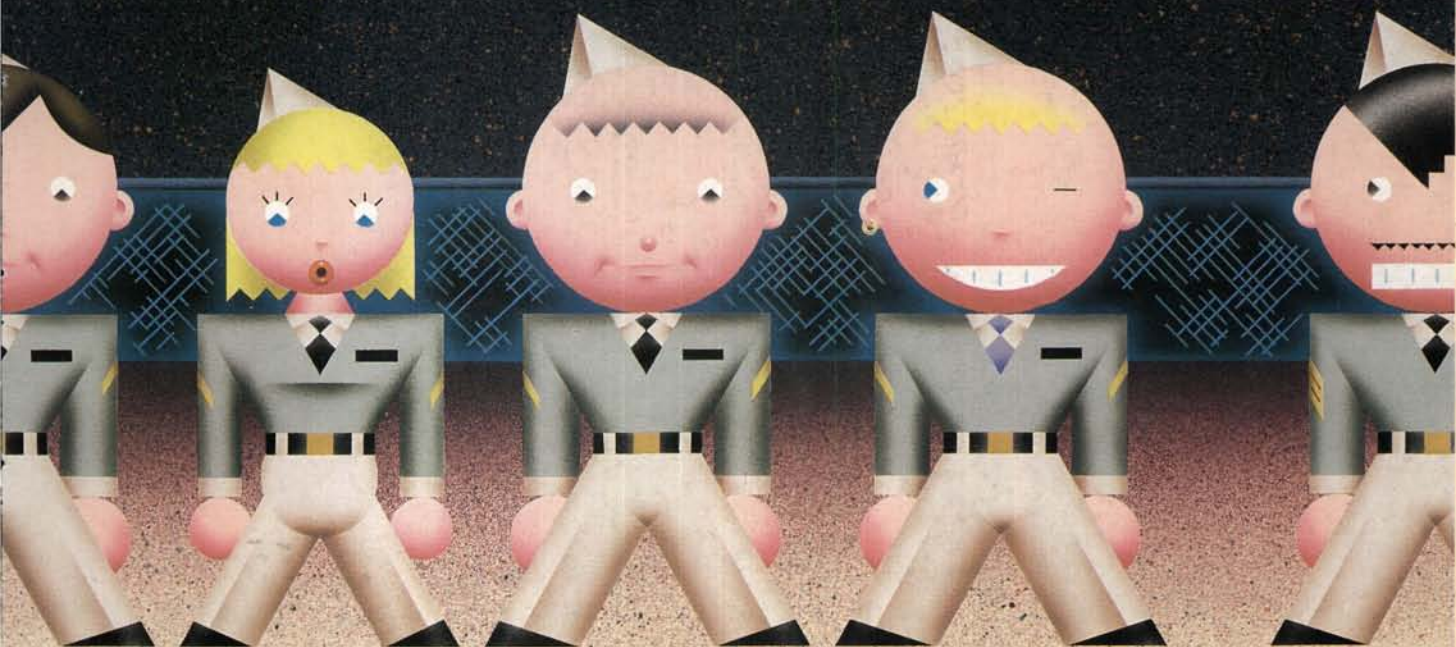
Why women should  
have their chance

*The Editors*

... and why gays  
should have theirs

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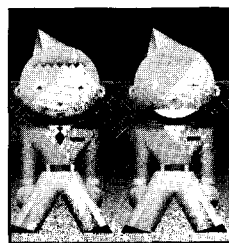
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FEBRUARY 19, 1990



Cover by José Cruz for THE  
 NEW REPUBLIC. Articles on  
 pages 7 and 20.

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 WASHINGTON, D.C.  
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THE NEW REPUBLIC, Vol. 202, Number 8, Issue 3,918, February 19, 1990. (Printed in the U.S. on January 31, 1990.) Published weekly (except for combined issues dated Jan. 8 & 15, July 9 & 16, July 30 & Aug. 6, Aug. 20 & 27, and Sept. 10 & 17, 1990) at 1220 19th Street, NW, Washington, DC 20036. Telephone (202) 331-7494. Leadership Network advertising (212) 684-5500. Yearly subscriptions, \$59.97; foreign, \$89.97; Canada, \$74.97. Back issues, \$3.50 (includes postage & handling). ©1990 by The New Republic, Inc. (ISSN 0028-6583). Second-class postage paid at Washington, DC, and additional mailing offices. Indexed in Readers' Guide, Media Review Digest. Available on microfilm from University Microfilms Int'l., 300 N. Zeeb Road, Ann Arbor, MI 48106 and Bell & Howell, Old Mansfield Road, Wooster, OH 44691. Member, Audit Bureau of Circulations. Unsolicited manuscripts can be returned only if accompanied by a stamped, self-addressed envelope. Subscribers: Please send all remittances, changes of address, and subscription inquiries to Subscription Service Dept., The New Republic, P.O. Box 56515, Boulder, CO 80322. For subscription problems call 800-274-6686.

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## FROM WASHINGTON

### Call me irresponsible

The reviews are in on Senator Pat Moynihan's proposal to cut the Social Security tax. "Irresponsible"—*Chicago Tribune*. "The most irresponsible idea of the 1990s"—budget director Richard Darman. "Totally irresponsible"—Ways and Means Chairman Dan Rostenkowski. "A charade ... the politics of envy"—President George Bush. "Irresponsible"—columnist Charles Krauthammer, columnist Robert Samuelson. "Fiscally irresponsible" (although "the real problem ... is more fundamental")—THE NEW REPUBLIC.

No one disputes Moynihan's basic point that the rising Social Security levy is a regressive tax that has been used to mask the true size of the federal deficit. He is widely praised for alerting people that federal spending has not decreased, as a share of GNP, during the Reagan-Bush era, while the tax burden has merely shifted from the affluent to the middle class. But the general attitude is: "Thanks for the lecture, Professor. Now buzz off."

The Bush Administration wants to have it both ways. It condemns Moynihan as irresponsible for threatening an "enormous revenue loss of \$55 billion in 1991 alone" (Darman), without conceding its own irresponsibility in using Social Security funds for current expenses in the first place. It wishes to continue counting the Social Security surplus toward this year's deficit, while accusing Moynihan of threatening future retirees' pensions.

Darman's alternative to Moynihan—the grandly labeled Social Security Integrity and Debt Reduction Fund—is a simple mathematical fraud. Starting (conveniently) in 1993, Darman would require that each year's excess of revenues over outlays for Social Security be used to retire federal debt. There is no practical difference between that and what happens now. Instead of going for the purchase of new government bonds, the Social Security surplus would go for the payoff of old government bonds. Whether or not the Government produces a balanced budget

by 1993, as Darman optimistically predicts, it will be retiring old debt and issuing new debt for years to come. Calling the Social Security surplus a "Debt Reduction Fund" has no effect on the size of the Government's debt. Nor does it prevent the Government from running a deficit after 1993 and borrowing more money in the traditional fashion.

Darman seems to have Washington hypnotized. Just toss them a metaphor and cynical journalists go weak-kneed; they start burling about "vision." Darman's heralded 15-page essay at the start of this year's budget volume—the budget is "the Ultimate Cookie Monster," Washington is a "Wonderland ... running wild with attractive fantasies," and so on—argues that "partisan posturing" should give way to greater concern for America's long-term future. These are all thoughts so trite that you ordinarily couldn't get them published on any op-ed page in the country. The only interest is in hearing it all from a top Bush-Reagan official, like a chimpanzee complaining of that funny smell in the monkey house.

Responsibility buffs outside the Administration are on firmer ground in saying it would be wrong to cut \$55 billion in taxes, even unfair taxes, from the federal budget without saving or replacing the money. But with President Bush already demonstrating his eagerness to pounce on any hint of where the money might come from, responsibility does not require a Democrat like Pat Moynihan to say anything more than: "Yes, the money must be made up. I look forward to negotiating in good faith on the Administration's proposal. After you, Alfonse. However, stealing the money from working people is no longer tolerable."

A politician's first responsibility is to win (a philosophy the Republicans certainly take seriously). But it's not solely a partisan matter. Two Republican Presidents have taught the American people that they can be opposed to "big government" in the abstract without giving up any particular aspects of "big government" that benefit them personally. The deficit—the real, non-Social Security deficit—is the concrete expression of this national civic hypocrisy. Forcing an end to the hypocrisy is responsible policy as well as good politics.

Most support for Moynihan's plan in Washington has come from conservatives outside the Administration. Their theory is that any tax cut is good, and that the Gramm-Rudman-Hollings automatic slicing machine will cut Government down to match whatever revenues are left. I suspect that a bit of such slicing would quickly remind people of the value of the Government they've been taught to sneer at. Forced to choose between paying for as much Government as

they're now getting and getting as much Government as they're now paying for, they'll choose the former. But whatever people decide, forcing them to make the choice is a healthy—responsible—civic exercise. And incidentally, by dashing the Republican myth that they can have it both ways, it is good for the Democrats.

Why have Moynihan's Democratic colleagues been so slow to rally around his tax cut idea? No offense, but it can't just be a bloated sense of responsibility. That may explain the editorial writers and columnists, but it goes against everything we know about politicians of either party. It's a genuine puzzle. Conservatives I've talked to have a theory: they insist that Democrats just viscerally hate cutting taxes. That can't be right, can it?

A word in reaction to TNR's anti-Moynihan editorial last week. That editorial argued that the Social Security "trust fund" (composed of annual operating surpluses allegedly being saved for the retirement of the baby boom generation) is not a fiction, as Moynihan maintains. It is not a fiction—even though it is financing current government expenses and getting IOUs in return—provided that those IOUs are honored when they come due in the next century. The editorial acknowledges that honoring those IOUs will require raising taxes, just as taxes would have to be raised to pay benefits directly if the "trust fund" didn't exist. But it maintains, correctly, that running a Social Security surplus between now and then, invested in reducing the government debt (thereby freeing up capital for private investment), should make society enough richer that the added taxes won't be a burden. The "trust fund" argument, in short, boils down to the same thing as the "fiscal responsibility" argument.

Whether the existence of annual Social Security surpluses actually *does* reduce the government debt depends entirely on what you think would happen if the surpluses didn't exist. The 1991 surplus will be about \$75 billion—more than the Bush 1991 budget's alleged deficit of \$64 billion. If that \$75 billion disappeared, the Government would not quickly come up with another \$75 billion in spending cuts or new revenue to replace it. But just as surely there would be tremendous pressure (from Gramm-Rudman, among other places) and some progress toward that goal. In short, the \$75 billion surplus reduces Government's borrowing demands for 1991 by some uncertain amount between \$0 and \$75 billion. Also uncertain is what amount, between \$0 and \$75 billion, would be saved anyway, rather than spent, if Moynihan got his way and the

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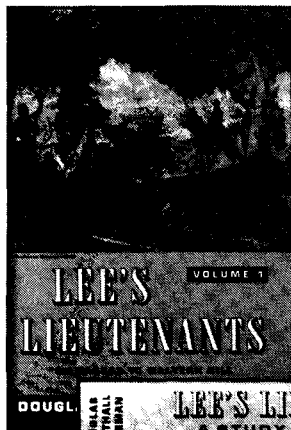
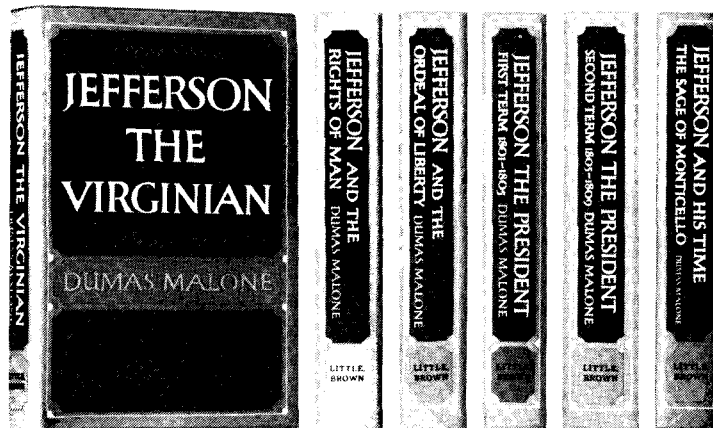
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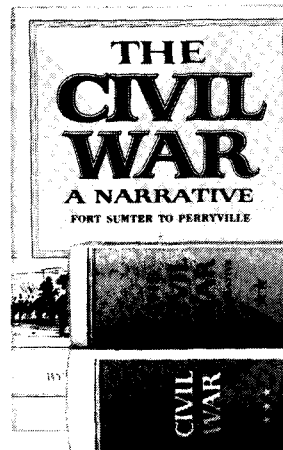
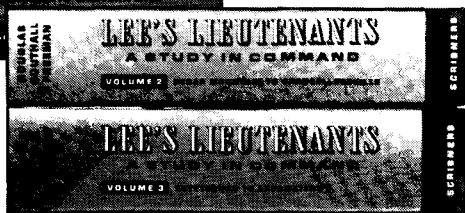
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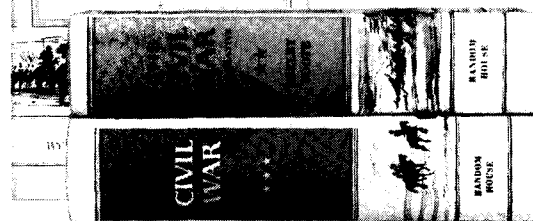
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# CORRESPONDENCE

## Feeding time

### To the editors:

As an American working for a British MP, I found TRB's and Henry Fairlie's reviews of Parliament ("Democracy Theater" and "Maggie's Flying Circus," January 1) largely on target. Still, I couldn't help feeling they'd gotten a bit carried away with their Anglophilic enthusiasm.

TRB points out the "debilitating politesse" that plagues Congress. No less debilitating to reasoned argument, however, is the combativeness of MPs, their steadfast refusal to concede an inch, the heckling, the strident polarization. Admittedly, all this also makes Parliament eminently more watchable, particularly for an American audience and particularly during Question Time.

The House of Commons meets for almost three times as many hours per session as Congress does, Fairlie notes, but don't be misled into thinking that this means there is that much more careful argument over bills. As in Congress, debates are often held in nearly empty chambers, with 500 MPs appearing for the vote as if by magic when the Division Bell rings, ushered through the "aye" and "nay" doors by party whips. Of the nearly 2,000 hours spent, the Queen's Speech Debates and Question Time that TRB and Fairlie dwell on are the exceptions rather than the rule.

But don't get me wrong—American politics could use a good dose of Question Time. For one thing, it might make a President think twice before nominating a Sam Pierce or a Dan Quayle, or make the voters think twice before voting for a Ronald Reagan.

JOHN R. BAUGHMAN  
London, England

## Case closed

### To the editors:

Following a heated courtroom debate, the 18th-century English jurist Edward Thurlow remarked, "I was with you Mr. Scott—until I heard your argument." That is my reaction to your treatment of the invasion of Panama, particularly "After Panama" (January 22). Who among you came up with the argument that the invasion was justified because Noriega "made the mistake of declaring war on us"? Or because the United Nations and the Organization of American States failed to

"protect the innocent"? Or because a couple of years ago the CIA "inadvertently" put Noriega "on the road to power"? Or because, since the attack, "Panamanians have been cheering their Yankee liberators"?

What student of international law did you consult for the notion that "someone" must act as "the world's policeman"? What student of the criminal process, after acknowledging that an invasion of a foreign country to make an arrest is "a clear violation of international law," nonetheless prompted you to urge that Noriega should be tried first in the United States "and then returned to Panama for trial there"? And finally, all metaphors aside, were you really serious in claiming that Manuel Noriega "was our monster, and as his Dr. Frankenstein we had the responsibility of destroying him"?

Perhaps there is room to debate the political, legal, and moral propriety of the Panamanian invasion. But your arguments—at best, silly, at worst, stupid—aren't worthy of TNR.

FRANKLIN A. MORSE II  
South Bend, Indiana

## Wrong numbers

### To the editors:

Your attack on me in the Notebook item on the Americans with Disabilities Act (December 25) missed the target because you got the numbers wrong. MCI, a manufacturer of intercity buses, sells its lifts for \$35,000 to \$45,000. We chose, however, not to use those numbers in our testimony. Instead, we used the far lower estimate, as supplied by ADA advocates, of \$10,000 for a transit lift. The manufacturer of that product has told us it will cost another \$5,000 to modify it for intercity buses.

In speeding to the conclusion that I am dishonest, your reporter apparently forgot that there is a huge difference between the purchase price of a product and the cost to operate it. In this case, the \$15,000 purchase price is less than half the annual cost. It does not include items such as maintenance, which is extremely high on wheelchair lifts, according to transit agencies. Also, there are training, insurance, interest, and reduced revenue caused by the removal of passenger seats.

We operate unprofitable feeder routes into several thousand small towns because they bring passengers and packages to our mainline service. Right now 32 percent of our bus miles lose money. We subsidize those losing rural routes with revenue from high-density routes. With the added burden of wheelchair lifts on all 4,000 buses,

50 percent of our miles would fall into the red. The inevitable result: loss of the only public transportation service now available to much of rural America. If that happens, the ADA will end up defeating its own purpose by collapsing, rather than building, mobility for disabled Americans, and all other Americans as well, who live in small towns and rural communities.

FRED B. CURREY  
Chairman, Greyhound Lines, Inc.  
Dallas, Texas

## Inflating blame

### To the editors:

In his review of Barbara Ehrenreich's *Fear of Falling: The Inner Life of the Middle Class* ("Vertigo," January 1), Joseph Nocera does a disservice both to Ehrenreich and to your readers when he suggests that he has something significant to add to her discussion of why the nation's professional class has turned rightward and more materialistic in the past decade and a half: the inflation of the 1970s.

Nocera writes: "Inflation was a huge psychological factor—Ehrenreich never mentions it—that brought habits of spending and saving that are with us still, and that served to create a very deep anxiety in the professional class." In the guise of new insight, Nocera simply repeats the most standard of standard explanations, one that Ehrenreich acknowledges in the first pages of her book in order to say that she would like to look beyond it.

Ehrenreich asks: "What happened in the life of this class, to cause the retreat from liberalism? The conventional explanation, such as it is, focuses on events external to this class... rising crime, ... the 'blue-collar backlash'... Finally there was the economic crunch of the '70s, which awakened any remaining liberals of the middle class to their own material self-interest." Ehrenreich goes on to say that though there is some truth to all these assertions, they are insufficient: "Events do not just hit us on the head, provoking reactions as if by reflex; they come to us already thickly swathed in layers of judgment and interpretation.... Why does a particular interpretation take hold?" She then sets about examining middle-class consciousness with style and intelligence.

I agree with Nocera that Ehrenreich's leftist views distort her analysis occasionally. But, as Nocera himself makes clear, the book's successes far outweigh its shortcomings.

ETHAN BRONNER  
Wheaton, Maryland

FEBRUARY 19, 1990

# SOLDIER BOYS, SOLDIER GIRLS

During the U.S. invasion of Panama, a female soldier who had been driving a truck for hours, ferrying troops into a combat zone amid sporadic enemy fire, was about to be pressed back into service when she started crying. Another woman, who had been performing the same job, approached her and, by some accounts, started crying too. Both were relieved of their duties—whether at their request or not remains unclear. After news of the incident reached the press, the Army took pains to convey that the women had not disobeyed orders or been derelict in their duty. On the contrary, according to an Army official quoted in the *Washington Post*, “They performed superbly.”

There are a number of sympathetic and truthful things you can say about these two women. You can note that they exhibited an acute understanding of the dangers they faced, or that their behavior was no different from that of countless male soldiers who have been traumatized by war. But to call the overall performance of a soldier who breaks down and cries during combat “superb” is ludicrous, and patronizing.

This utterance embodies a particular form of disingenuousness that has clouded the debate over opening combat positions to women. Within the Pentagon there is deep opposition to the idea, but it almost never gets honestly expressed. High-ranking officers may, over a beer, list half a dozen things that scare them about a fully integrated military—one of which is that women might start crying during war. But when Pentagon officials are publicly asked about the issue, they generally shy away from honest doubts. And proponents of full integration seem no more eager for a thorough airing of possible pitfalls. Their working assumption is that the only real sources of opposition are sexism and the

political cowardice of legislators who don’t want to be seen as sending women to war.

The shallowness of the resulting debate is by itself a good argument for proceeding with Representative Pat Schroeder’s plan to open some Army units in every type of combat specialty to women on a four-year test basis. Mere public discussion of the issue, it seems, is not going to get us very far.

To the extent that the exclusion of females from combat roles has a stated rationale, it is that women should not be put at risk of physical harm. Even a position classified as non-combat may, under current policy, be closed to women if, in the event of war, it would be dangerous. The logic here is puzzling.

Does a woman’s life have greater moral value than a man’s? Does a wounded woman suffer more than a wounded man? Neither question has a valid ring to it, and both are best left for contemplation by those women who want to go to war.



To further confuse things, this warped rationale for combat exclusion is half ignored in practice. Women are not allowed to fly fighter planes, but they are free to fly AWAC radar planes—which are so big, slow, and tactically important that they might as well have “Shoot me first” stenciled on their sides. Women can’t fight in tanks, but they sit in communications trucks that may be in harm’s way. They can’t serve on destroyers, but they serve on supply ships that drop anchor alongside destroyers.

Individual paradoxes aside, the distinction between combat and non-combat jobs is, as Schroeder stresses, broadly eroding. In the era of cruise missiles and other “smart” weapons, front lines are not necessarily more

vulnerable than rear supply lines. And in the Panama-style interventions that some see as the wave of the future, there is scarcely such a thing as a front line.

The only valid reason to keep women out of combat is if their presence is debilitating to what military types call the mission. This is a real possibility, but so far it hasn't been illuminated by much honest discussion. Opponents of the combat exclusion rule often act as if the only reasonable doubts about female soldiers have to do with physical strength and stamina. If so, of course, the solution is simple: women who pass all relevant physical tests can go to war. Thus a woman who can march, say, 30 miles with a 65-pound pack would be eligible for the infantry; a woman who can readily lift and load heavy artillery shells would be admitted to the field artillery. (Women are now permitted only in the longer-range "push-button" artillery, which fires, for example, Lance missiles.) The number of women passing relevant strength tests should grow over the years, as strength, in the increasingly technological military, declines in relevance.

**B**ut strength and stamina are not the only pertinent biological differences between men and women. Men are, statistically speaking, more aggressive than women, and at least some of this difference is inherent—due to the effect of the male hormone testosterone on the brain. It is less clear whether other observed differences—in the propensity to take physical risks, for example—are also genetically based. But the aggression gap alone means that even if the military were gender-blind and physical strength were irrelevant, full parity would be highly unlikely; barring genetic engineering, there will never be as many women who want to kill, and are good at it, as men.

As with physical strength, differences between the sexes in aggressiveness or bravery needn't stand in the way of individual women; insufficiently aggressive women (and for that matter insufficiently aggressive men) can, in principle, be weeded out. This may be tricky. You can't tell how mean someone is by counting push-ups. There is no systematic effort to gauge such psychological factors in basic training, but some such tests may be useful adjuncts to the Schroeder plan.

The ultimate test of such tests, though, can only come in combat. If women who reach certain combat positions have a markedly higher rate of failure under fire, then they will have to be barred from those jobs. This may be unfair, but try telling that to the soldiers whose lives hang in the balance.

The second big issue that cannot be definitively settled without bloodshed is the effect of women on previously all-male groups. The hypothesis, advanced by some anthropologists and evolutionary biologists, that men are genetically predisposed to fight in groups remains controversial. It is unclear whether the intense bonds formed during war, and all the valor and sacrifice they inspire, result from "male-bonding" or simply "person-under-fire bonding." Either way, there is no doubt that introducing a woman into a previously all-

male platoon will change the group dynamics (just as there is no doubt that comparably diluting a previously all-female group will change things).

One source of change, of course, is romance, along with any attendant distractions, rivalries, and conflicts of interest. Another possible problem is the patronizing of women; there is anecdotal evidence from Israeli military history that men are inclined to linger over a wounded female comrade, to the detriment of the larger mission. The list of other possible changes is long, but the question, in the end, is simple: After all the adjustments have been made, and the group has found some new equilibrium, will the change have been for the better, the worse, or neither? Perhaps some insight into this question can be gained in peacetime—through, for instance, mock combat between all-male units and integrated units. But the only way to find out for sure is amid live ammunition: open some Army combat units to women and wait for the next Panama.

The issue of women in combat may end up being much ado about very little. Surveys suggest that few of the 192,000 enlisted women in the military are yearning for combat duty. (The case is different for the 33,000 female officers, who know that their exclusion from combat commands hurts their careers.) In Canada, which recently opened all positions to women, the military initially spent \$500,000 trying to recruit 249 women for field tests in combat posts, but only 26 signed up.

Among the reasons for holding a real-war test of full military integration is that, surprisingly, there is little germane evidence on the modern historical record. The role of women in Israel's War of Independence has been exaggerated; of 4,000 Israeli soldiers killed, only 114 were women. (Still, it may be noteworthy that the most commonly cited reasons for Israel's subsequent combat exclusion rule were not any deficiencies on the part of female soldiers, but the frequency with which they were raped when captured and the already mentioned tendency of male soldiers to worry excessively about wounded women.) During World War II Soviet women fought the Germans and seem to have acquitted themselves ably, but accounts are sketchy. Moreover, the women fought in segregated units. The few NATO armies that have opened all combat posts to women, such as Canada's and Denmark's, have managed to stay out of wars. (But the Canadian experience suggests that infantry is by far the hardest challenge for women; at last count, of 88 female infantry recruits, 78 had dropped out of basic training, and only one had graduated.)

The U.S. military has been fitfully heading toward full integration for nearly a century. The Army founded auxiliaries for nurses in 1901, and for decades thereafter kept women in what was deemed to be their place. They served in clerical posts during World War I; some were in the trenches as telephone operators, but not at the very front lines. In World War II the Army Air Corps used women as ferry pilots, flying radio operators, control tower specialists, and airplane mechanics,

as well as stenographers and telephonists. Sixty-seven military nurses survived the horrors of Bataan and Corregidor and were held for three years in a Japanese prisoner-of-war camp. For the most part women were cordoned off in separate auxiliaries; their presence was thought temporary. WAVES, the acronym for the Navy's auxiliary, stood for "Women Accepted for Voluntary Emergency Service."

Postwar legislation sustained the women's auxiliaries, but it also put a ceiling on the number of female soldiers—only two percent of each service—and imposed the combat exclusion rule on the Navy and Air Force. (The Army's exclusion rule is Pentagon policy, modeled on the legislation.) The two percent ceiling was lifted in 1967, but only after Vietnam did the numbers rise to impressive levels—from under four percent in 1974 to more than eight percent by 1980.

It is probably not too much to say that women saved the post-Vietnam all-volunteer military, by making up for the critical shortage of "high quality" (i.e., competently educated) male enlistees during the 1970s. As the high unemployment rate of the early Reagan years enriched the pool of male recruits, efforts to recruit women slackened. But their numbers grew anyway, reaching nearly 11 percent in 1989, the highest of any NATO country.

West Point, like the other service academies, was integrated barely more than a decade ago. And this year the First Captain (the top-ranking cadet in the senior class) was a woman. Still, the zenith for women in the military, so far, was probably reached in Panama. The now-famous assault by Capt. Linda Bray's military police unit on the Panamanian guard-dog kennel was not, it turns out, quite as heroic or bloody as first advertised. But it appears to be the first time a woman has commanded a military unit in combat. And by all accounts she didn't bat an eyelash, much less shed a tear.

## SANDINISTA FIX?

On February 25, ten years and seven months after Nicaragua's supposed liberation from despotism, the citizens of that much-abused land finally may have a chance to say how they want to be governed. When Anastasio Somoza's dictatorship was overthrown in July 1979, the Sandinista party solemnly promised democracy, pluralism, and non-alignment. Instead, it set up a militarized party-state tightly allied with the Soviet Union and Cuba. Farms were collectivized, the army was enlarged and placed under party control, East Germans and Cubans trained the secret police, and the press was muzzled. Still, the Sandinistas never were able to turn the country into another Bulgaria. They were kept off-balance by a courageous internal opposition, by the U.S.-supported *contras*, and by mounting pressure from foreign governments disillu-

sioned by Sandinista lies.

The Sandinistas held an election in 1984 that the Reagan Administration ill-advisedly induced the opposition to boycott as hopelessly unfair. It was unfair, but participation would have exposed the Sandinistas' machinations for all to see, and whatever legislative seats the opposition had won could have been a beachhead for democratic activism. The Sandinistas agreed to early elections this year as part of the Central American peace process set in motion by President Oscar Arias of Costa Rica. This time the opposition is fighting hard, with bipartisan backing from the United States.

Will the elections actually be fair? Left to their own devices, the Sandinistas surely would do whatever they believe necessary to win. They already have tried threats and violence and have made massive use of government assets—buildings, money, vehicles, and the state-controlled media—to defeat the opposition. Still, the opposition, which is led by Violeta Chamorro, widow of Nicaragua's most celebrated anti-Somoza martyr and publisher of the oft-suppressed newspaper *La Prensa*, apparently has a real chance to win—if international observer organizations see to it that the vote is not stolen on election day. Former President Jimmy Carter, who has already performed signal service in Panama and in the run-up to the Nicaraguan voting, has a key role to play, especially in ensuring that all polling places are watched on election day.

Public opinion polls are notoriously unreliable in Nicaragua, where citizens are understandably wary about revealing their political loyalties to strangers. One recent Costa Rican poll showed Chamorro ahead by a margin of 45 percent to 25 percent, and a Venezuelan poll had her ahead 41 to 33 percent. However, another survey, conducted by Stanley Greenberg for the Boston-based liberal academic group Hemispheric Initiatives, showed the Sandinistas ahead 51 to 24 percent. The only poll conducted by secret ballot, done by the U.S. firm of Bendixen and Schroth for the Spanish-language TV network Univision, showed the Sandinista candidate, President Daniel Ortega, ahead of Chamorro by just one point, 40 to 39 percent.

There are other indications that the race is close. The vituperative rhetoric of the Sandinista campaign—accusing Chamorro's United Nicaraguan Opposition (UNO) of being *contras* in disguise and "mercenaries" for the United States—suggests that Ortega is running scared. So do other ruthless Sandinista tactics.

In early December, for example, former Mondale campaign manager Robert Beckel and other members of a bipartisan U.S. delegation saw one of UNO's rallies attacked by militants wielding machetes. One person was killed. No one has proved it, but the presumption is that the attackers were Sandinista thugs known as *turbas divinas* ("divine mobs"), the Nicaraguan equivalent of Panama's old "dignity battallions." In mid-December the non-governmental Nicaraguan Permanent Commission on Human Rights and the Washington-based Puebla Institute reported that seven oppositionists had been murdered, 12 had

disappeared, and scores had been arrested, beaten, or had their property vandalized.

A recent OAS report charged that 191 national and local opposition candidates had been intimidated into resigning. Most troubling are threats against prospective UNO poll-watchers. Some 300 have resigned, according to the National Democratic Institute, which is training UNO election monitors. It took Carter's vigorous intervention to get the Sandinistas to promise to allow U.S. money to flow to the NDI program. NDI says it will have enough volunteers trained by February 25 to cover 90 percent of the country's polling places—provided that the Sandinistas do not scare away the volunteers between the registration deadline of February 6 and election day.

It takes great courage to be an UNO activist in Nicaragua, as much as it took to be a Solidarity organizer or a Charter 77 signer in Czechoslovakia. It's now clear to the world that the mandate of history was with freedom in Eastern Europe, but that was not always so apparent, and it's not at all clear in Nicaragua. Peasants doubt that their ballots are truly secret, and UNO workers have every reason to think that if the Sandinistas win on February 25 they will target the opposition for reprisals. After the U.S. invasion of Panama, Defense Minister Humberto Ortega, Daniel's brother, ordered military and counterintelligence units to "exercise plans for neutralizing, cutting off, and executing . . . traitorous elements" in case the United States invaded Nicaragua too. The government was forced to backtrack in the uproar following Ortega's statement, but the message was clear: the Sandinistas regard the opposition as treasonous. Chamorro reports that she and other UNO leaders received numerous telephoned death threats by callers citing the order.

**I**n some of President Ortega's campaign advertising, he is pictured as a friendly family man, bouncing his two-year-old daughter on his knee with a sunlit Roman Catholic church in the background (a nervy bit of symbol-stealing, given Sandinista efforts to discredit the Church). In these ads, it's morning in Managua. At Sandinista rallies, though, Ortega declares the opposition to be "agents of imperialism." The government has taken every advantage of the fact that as many as 5,000 *contras* are loose in Nicaragua, despite the cutoff of U.S. military aid. In November it suspended its previous cease-fire and deployed Sandinista troops throughout the countryside.

The Sandinistas are trying to reproduce a wartime climate and to identify the opposition with treachery. When two nuns were killed in a *contra* ambush in early January, the Sandinista newspaper *Barricada* said it was the work of "*contra*-UNO assassins" in spite of the fact that Chamorro disassociated UNO from the *contras* in a statement made public by Jimmy Carter. The Sandinistas agreed at the time not to link the political opposition with the guerrillas, but they have not kept the bargain.

They are also mounting a lavish campaign against

the impoverished opposition, using government resources. At one rally in León, 160 government cooperative trucks were counted bringing in supporters. These resources will be available to the Sandinistas on election day. Meanwhile, until late January, the Sandinistas were using customs and other regulations to deny UNO access to jeeps, radios, telephones, and other equipment paid for by some of the \$9 million in U.S. funds voted by Congress for the election process (half of which goes to the government to help run the election). Carter induced the Sandinistas to promise to release the materials, but it remains to be seen how quickly they will do so.

The most blatant Sandinista use of government resources—criticized by the Organization of American States and the Inter-American Press Association—lies in the imbalance of access to television and radio. The only TV station that reaches the whole country, Channel 6, is state-owned and broadcasts a daylong diet of pro-government propaganda and Sandinista advertising, while allowing the opposition just 30 minutes per week. The OAS charged the government with broadcasting "flagrant distortions, derogatory remarks, and misrepresentations." The few stickers and banners the opposition can afford (these cannot be bought with U.S. funds) have been systematically torn down by *turbas*.

Besides tilting the playing field and trying to control the scoreboard by intimidating UNO poll-watchers, the Sandinistas have tried to limit access to the press box by denying visas to some journalists who have written anti-Sandinista stories. They have also barred Freedom House observers and a presidentially-appointed bipartisan U.S. Congressional delegation. Carter persuaded the Sandinistas to recant partially and to allow 12 members of Congress to join his election-monitoring group.

It's clear that the Sandinistas will accord the opposition only as much fair treatment as they are forced to. Carter has wrung concession after concession out of the government, and the number of international observers on the scene is unprecedented. Even so, the election still could be stolen on election day. For this not to happen will require a well-coordinated observation effort. Between them, a United Nations team headed by former Republican Cabinet officer Elliot Richardson and the OAS delegation will have some 400 observers in the country, but rivalries have prevented the two international groups from operating together. So the OAS—with some help from Americans experienced in the Chilean, Panamanian, and Philippine elections—plans to undertake a "quick count" based on results from a statistically representative sampling of ten percent of all polling places. It will be up to UNO to monitor all or almost all of the 4,400 polling places in the country and ensure that the count there is fair.

The danger will come if the election is close and all the polling stations are not covered. The OAS might report a narrow Chamorro victory in the "quick count" precincts, but the Sandinistas could still steal the elec-

tion in the uncovered locations. The chances of this happening will be narrowed if Carter can get the OAS and the U.N. to cooperate and make sure that poll-watchers are on hand in the places UNO isn't.

Of course, in the final analysis, outsiders can't win the Nicaraguans their freedom. Like the Eastern Europeans, they will have to win it themselves. They have enormous advantages this year in spite of the Sandinistas' threats and use of government resources. They have the example of Eastern Europe, showing them it's possible to break free. They have the knowledge that Mikhail Gorbachev does not care much about the Sandinistas and will do little to prop them up. They know that even beyond the effects of the U.S. economic embargo, the Sandinistas have made a wreckage of the Nicaraguan economy. And they surely know that Chamorro is no Somoza, but the wife of his most illustrious democratic opponent.

The Nicaraguan elections also will be a telling test for American stereotypes. If the Sandinistas should win overwhelmingly in a reasonably fair contest, it would seem to prove the argument that anti-Yanqui sentiment is primary in Nicaragua, in spite of the incompetence, corruption, and dictatorship the Nicaraguan people have had to endure. If Chamorro wins overwhelmingly, it should permanently silence all those who say that hostility to the United States is the most powerful sentiment in Latin America. If the election is close, the meanings will not be so clear. What will be most important then is for cheating to be caught so that the real winner wins. If that happens to be the Sandinistas, the task for Americans will be to ensure that the regime does not use its victory to repress those who have opposed it.

## NOTEBOOK

**B**ROKEN SECORD: Hours after U.S. Judge Aubrey Robinson sentenced him to two years' probation for lying to Congressional investigators, Richard Secord held a press conference to claim the profits from the Iranian arms sales, \$8 million to \$10 million of which are still sitting in a Credit Suisse account. The enterprising retired Air Force general, who ran Oliver North's secret *contra*-resupply operation, says he wants the money to pay the operation's outstanding transportation and legal fees, by which he appears to mean the costs of his own defense. Secord must be off his rocker. The proceeds of the sales belong to the U.S. Government, whose missiles he and North were illegally peddling. His request recalls the old saw about the guy who murdered his mother and father and then asked the court for mercy because he was an orphan. Except that Secord wants mom and dad to pay his legal bills, too.

**H**AIL GREAT BUDGET CHIEF: Could there be any chance be a connection between Richard Darman's

choosing to leak his 15-page introduction to the 1991 budget to the *New York Times* and the paper's habit of calling him the most farsighted man in politics? On the day the budget director's "Cookie Monster" essay appeared, correspondent Robert Pear wrote an accompanying story calling Darman "one of the few Bush aides to express a long-term vision for the United States." Two days later David E. Rosenbaum repeated: "Mr. Darman is also much more farseeing than most people in politics and government." Rosenbaum tempered his gush by noting that Darman's "personality often overshadows the fact that he is admired throughout Washington by his enemies as well as his friends for his intelligence, his capacity for work, his analytical ability, and his mastery of Government policy." In other words, he is so awesomely brilliant that he sometimes has trouble talking to people who aren't as smart as he is. Perhaps the *Times* should put itself on a more nourishing diet than the cookie crumbs from the palm of Darman's hand.

## MISTAKES CAN BE FETAL:

**GOP's Pierce: I'd limit abortions, might even seek ban**

—*Boston Globe*, December 19

**Pierce softens stance on abortion issue**

—*Boston Herald*, same day

(thanks to James L. McKnight, Winchester, Massachusetts)

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## The who of 'Z,' but not yet the why.

# THE LONG FAX

By Lionel Barber

**O**n January 4 the *New York Times* handed over half of its op-ed page to a mysterious author called "Z." The author, whose identity the *Times* said it had agreed to keep secret, argued that Mikhail Gorbachev's reform program was doomed and there was little the West could—or should—do about it. In case *Times* readers failed to get the hard-line message, William Safire proclaimed Z's thesis to be of seminal importance, rivaling George Kennan's famous 1947 article in *Foreign Affairs* setting out the doctrine of "containment" of Soviet power. Safire pointedly recalled that Kennan had used a pseudonym—"X"—because of his sensitive position as head of policy planning at the State Department.

The Z article unleashed a wave of press speculation about the author's identity. Early guesses included James Billington, the librarian of Congress and a learned

Russianist; Henry Kissinger; and Zbigniew Brzezinski. But most people swallowed Safire's bait whole: it was assumed that Z was a high-ranking Bush Administration official who, like Kennan, wished to promote a controversial policy under the cloak of anonymity.

The names flowed: Dennis Ross, head of State Department policy planning; Robert Zoellick, State Department counselor (whose name, it was noted, begins with the appropriate consonant); and the most tempting choice of all, Robert Gates, former Deputy Director of the CIA and Gorbachev's *bête noire* at the National Security Council. Gates, it was recalled, had recently put together a skeptical speech about Gorbachev's survival prospects, only to have it squelched by James Baker at the State Department.

Outside the Administration, other famous and quasi-famous names cropped up: William Odom, former head of the National Security Agency; Sir Curtis Keeble, former British ambassador to Moscow; Walter Laqueur (who used to write under the name Walter Z. Laqueur); Leszek Kolakowski of All Souls, Oxford; and more.

The truth is less glamorous, and it has nothing to do with power politics in Washington or anywhere else. The author is a 65-year-old historian on the faculty of the University of California, Berkeley named Martin Malia, a man who is little known outside academic circles and who has published little of note since his acclaimed study *Alexander Herzen and The Birth of Russian Socialism* in 1961.

The first clue to Z's identity appeared in an anonymous postcard sent from King's College, Cambridge, which arrived in the *Financial Times* office in London. The postcard was signed "K." It stated unequivocally that Martin Malia was the author of the Z article, which had already appeared at full length in the winter issue of *Daedalus*, the quarterly magazine published in Cambridge, Massachusetts, by the American Academy of Arts and Sciences and edited by Stephen Graubard, a professor of history at Brown. The *Daedalus* article, "long in gestation," wrote K, was in effect a polemic against 25 years of "soft Sovietology" in the United States.

**I**t seemed like a good tip, and it began to seem better when an employee of the history department at Berkeley mentioned that Professor Malia had written an unpublished work in 1986 under the working title "Russia Under Western Eyes—from the Bronze Horseman to the Lenin Mausoleum." The full title of the *Daedalus* article, interestingly, is "To the Stalin Mausoleum."

A copy of this earlier manuscript was obtained, and it turned out to bear striking intellectual resemblances to the Z article. Malia shares Z's total rejection of the applicability of the categories of Western social science to the Soviet case. Like Z, he accuses Western Sovietology of misunderstanding the Soviet system through the facile application of social science concepts, especially broad and ideologically inspired ones such as "totalitarianism" and "modernization." This is perhaps Z's central idea, and it is the climax of Malia's analysis.

Both Z and Malia adduce John Kenneth Galbraith's *The New Industrial State* as an example of what both regard as the rationalizing, prettifying, Westernizing mistake.

But the most significant similarities—the tell, as David Mamet would say—concern idiosyncrasies of style. In both one finds a series of references, expressions, and authorial tics that amount to an almost unmistakable proof of authorship. Any one of them, of course, might have been used by any other writer too; but all of them together add up to a kind of composite police sketch of a perpetrator.

*Item:* Z, page 321: "... Russian culture was either driven underground into *samizdat* (clandestine self-publication) or *tamizdat* (publication in the West)." Malia, page 99: "But most of this literature of *samizdat* (or self-edition) and *tamizdat* (or there-edition) in the West was new."

*Item:* Z, 315: "Until Khrushchev's 'secret speech' of 1956, millions ... believed the Myth had in fact been realized and that Stalin was its Choryphaeus." Malia, 26a: "Just as disturbing was the new cult of the Leader [Stalin] and his promotion to the rank of 'universal genius' and 'choryphaeus of the arts and sciences.'" And again on Malia 1 and Malia 74. The choryphaeus is the leader of the chorus in Greek tragedy—a far from common appellation for Stalin.

*Item:* "The owl of Minerva takes flight only as the shades of night are falling." This unusual translation of a famous passage from Hegel's *Philosophy of Right* appears in both Z 301 and Malia 19. It is not Malia's own translation, as evidenced by a footnote number in the unpublished manuscript (the footnotes themselves were not provided), but it is certainly not the standard translation (by T. M. Knox: "The Owl of Minerva spreads its wings only with the falling of the dusk") or the clichéd one ("The Owl of Minerva flies at dusk"), and so it is a kind of fingerprint.

*Item:* "The mistake of Columbus." This characterization of communism, referring to Columbus's mistaken belief that he had found a route to India, is quoted in Z 302 and Malia 19, and is attributed by both to a "Polish observer."

*Item:* Z 314 describes the targets of Stalin's purges of 1936-39 as "waverers and doubters." Malia 25f describes them as "doubters, waverers, and critics." If not a fingerprint, this is certainly a whorl.

*Item:* The Tocqueville tip-off. Malia 84, on Khrushchev: "He clearly had not read Tocqueville about what happens to governments when they start to reform themselves ..." And Z 295, in the epigraph of the entire essay: "The most dangerous time for a bad government is when it starts to reform itself."—Alexis de Tocqueville, anent Turgot and Louis XVI."

There are other clues too—for example, the use of the rather unusual term "Sovietism" in the *Daedalus* article and also in a November 1986 *Los Angeles Times* book review in which Malia used it to denote the ideology of Soviet-style rule. More generally, Malia's style is remarkably like Z's: dense, extremely historical about almost every point, highly (somewhat maddeningly) al-

lusive, and displaying a flair for languages. In both the Z article and the Malia manuscript, the author uses a rich combination of Russian, French, and quasi-colloquial American. In the *Daedalus* piece, for example, readers run into “the *longue durée* of abiding structures and abiding institutions”—another clue, by the way, that the author is a professional historian, since the *longue durée* is a cliché of the profession introduced into it by the trendy French *Annaliste* school. The evidence points, in sum, to a master of all three languages. Malia lives in California, lectures regularly in the French language in Paris, and is believed to have learned Russian while serving in the U.S. Navy.

The hardest evidence, however, comes from Berkeley’s own history department. According to a staff member whom I interviewed, Malia composed part of the *Daedalus* article on a departmental computer under the filename “PERES”—presumably a reference to *perestroika*, not to the Israeli politician. The staff member called up the file on his own computer during our interview and read me lengthy passages, all of which were identical to passages in “To the Stalin Mausoleum.”

Moreover, the same staff member says that Malia had faxed numerous sheets to *Daedalus* late last year, reworking and updating his manuscript to keep pace with events on the European continent. The Berkeley-Cambridge fax connection is confirmed by a number of sources at both ends. Thus Kennan’s “Long Telegram” of 1946—the precursor of the X article in *Foreign Affairs*—becomes Martin Malia’s “Long Fax” of 1989.

Graubard confirms the fax story indirectly in his preface to *Daedalus*, where he refers to authors who “scurried” to make changes at the printer’s deadline. He also confirmed in a telephone interview that he is a friend of Malia’s—though this fact, known to many in both Berkeley and Cambridge, was disputed by Malia in a telephone conversation with me. They were at Harvard in the late 1940s. Graubard’s teaching career began in 1947, when he was a graduate student who assisted in an introductory European history course. Malia graduated in ’47 too, according to Richard Pipes, who graduated the year before, as a young scholar ran “neck and neck” with Malia for tenure at Harvard, and now holds the chair of Russian and Eastern European studies there.

Pipes, who first speculated to the *New York Times* that Z was Robert Gates, chuckled when he heard that his old academic rival Malia was the prime suspect. Malia, he said, was a rather private man who was “not terribly well known” because he had published very little. He recalled a 1979 encounter in which he and Malia had debated the question “Who is the Enemy—Russia or Communism?” The last time the two had met was in San Francisco in December, “and come to think of it, he was in an exuberant mood.” Malia may just have been relieved to have finished his opus; more likely, he was relishing the upcoming hype that Graubard was to let loose by passing the *Daedalus* article to the *Times*.

But all this does not explain why Malia has remained anonymous. By several accounts, Malia—on assignment for the *New York Review of Books*—attended last

year’s Congress of People’s Deputies in which the Soviet leadership (and Gorbachev) was assailed from the floor. Malia would like to go back, but he may worry that a slashing polemic against Gorbachev may not be the best way to get an entry visa.

Another suggestion is that Malia, wanting to expose the flaws in the Bush Administration’s “we welcome *perestroika*, we want Gorbachev to succeed” policy, decided to intervene on behalf of skeptics such as Safire. Yet this does not square with his apolitical temperament: unlike Pipes and other Sovietologists, he has steered clear of Washington entanglements.

The most likely explanation is that this was a marketing jape that got out of hand. Graubard certainly was aware that anonymity was one way to promote his magazine. On January 24 he told the *Boston Globe* that he had ordered an additional print run of 10,000 copies—above the normal run of 21,000—because “we knew it would be popular.” And displaying an unscholarly appetite for the fast buck, he added: “No, I don’t think that additional amount will be enough—though we are always conservative.” Graubard’s eye for the main chance becomes plausible when one remembers the impact of “The End of History,” the article in the *National Interest* written by Francis Fukuyama, a State Department official who now reportedly has been offered a six-figure advance to turn his thoughts into a book.

Yet there is a historical irony here that should not be lost on Graubard or Malia. In late 1988, Graubard recalls in his *Daedalus* preface, “It was impossible to ask for anything but anonymous contributions from individuals in certain countries. Men and women who were open and known dissidents felt free to write under their own names . . . there were others, however, who chose to be more careful, who risked a great deal by writing, who were best reached not through an invitation sent through the open mail but by much more discreet means, generally involving individuals who would act as trusted intermediaries.” Graubard is referring, of course, to Eastern Europe. One year later, the collapse of communism meant Graubard was running out of undercover authors. The only one left to remain anonymous was, it seems, an American living in Berkeley, California.

Martin Malia is not quite ready to own up to authorship of the Z treatise. In phone conversations with me, he denied twice that he was Z. Graubard, too, maintains that he promised the author anonymity and that’s all there is to it. One part of the mystery, the identity of Z, can be regarded as solved. But another part begins to deepen: Why should Professor Malia, whose anonymity promises to make him famous, continue to dissociate himself from the Z article? Why should Professor Graubard, editor of *Daedalus*, cling so unyieldingly to this bizarre arrangement? And how much do Z’s thoughts really matter if they are only a professor’s punditry?

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# HOUR OF POWER

*By Fred Barnes*

President Bush and John Sununu, the White House chief of staff, had a scheme. By late January, they reckoned, China's leaders would have made sufficient human rights concessions to vindicate Bush's policy of high-level contacts—post-Tiananmen Square massacre contacts—with Beijing. As a result, Congress would look favorably on Bush's veto of legislation to guarantee continued asylum to Chinese students studying in the United States. Sununu learned that he and Bush had miscalculated. On January 22 he appeared before a few dozen Republican Senators in the office of Minority Leader Bob Dole. Sununu argued strenuously that they should uphold Bush's veto, but got nowhere. "It wasn't quite selling," said Senator William Armstrong of Colorado.

Still, Sununu was encouraged enough to invite all 45 GOP Senators to a White House breakfast with Bush the next morning. Most showed up. Bush, usually mild-mannered and chummy, was passionate about his veto. He promised not to send any students back to China involuntarily and attacked the legislation as counterproductive. Bush said that Democrats wanted to wound him with a defeat early in the new Congressional session. (Dole's request that the override vote be delayed a month had been rejected by Majority Leader George Mitchell.) Bush insisted that sustaining the veto was important to his foreign policy, to the "institution of the Presidency," to Republican leadership in Washington. "This is important to me personally," he declared. Senator Steve Symms of Idaho said he'd "never seen George Bush feel so strong. That's one reason I voted for him." Bush got 37 votes, enough to sustain his veto.

At the White House the view is that the win strengthened Bush enormously. I doubt it. Victories on issues of little substantive importance—either way, Chinese students weren't going to be expelled—are invariably overrated. The significance of Bush's triumph is in what it reflects: he has more clout in Washington than previously thought. He has, for instance, a "blocking minority" to make his vetoes stick. The general rule is that Presidents are strongest in their early months in office, then gradually lose power. That's what happened to Ronald Reagan. Bush is the opposite. He's got more power now than he did in his first 100 days. Not that Bush is a colossus. But he does have more sway here than he did a year ago, especially with Congress.

Part of the explanation is the way he won the office.

Bush exploited small issues (flag, furloughs, etc.) to defeat Michael Dukakis. "He came into office in weakened condition," says Representative Vin Weber of Minnesota. He didn't have an agenda. He faced vengeful Democrats who were unwilling to give him a breath-takingly successful honeymoon. He didn't have one. Bush, unlike Reagan, lacked a rallying cry. "Reagan's strength was ideology," says Press Secretary Marlin Fitzwater. "Bush's strength is derived from his ability to govern." It took a while for that to translate into clout.

Sununu spins a theory that makes Bush's accumulation of power sound inevitable, even planned. He told Paul Weyrich, the New Right leader, that Bush's style is "so complex" that the press can't understand it. Bush doesn't move in huge waves, Sununu said, because that creates opposite waves, which in turn can lead to only "trench warfare" with Democrats. Bush operates incrementally. After four years he'll have achieved a great deal without anyone having noticed. That's the theory, anyway. Newt Gingrich, the House GOP whip, buys it. "This is a marginal Administration," he says. "It moves forward incrementally on 70 fronts."

The theory makes a virtue out of a necessity, namely Bush's plodding style. The President characterizes his approach as prudent and cautious. Fitzwater calls it "slow start, fast finish." An example, says Fitzwater, was Bush's supposedly stand-offish policy toward Mikhail Gorbachev. Actually he was plotting a summit, the one held in December in Malta. Perhaps Sununu and Fitzwater should explain this to Johnny Carson. Franklin Roosevelt dubbed Pearl Harbor "a day that will live in infamy." Carson joked that Bush would have said, "Not gonna comment, too soon to tell, wouldn't be prudent."

Is there really a hidden agenda? I don't think so. Sununu told Weyrich that the Bush agenda is like a puzzle. You see the pieces, but you don't see the big picture until it's all put together, maybe in 1992. My guess is Bush pushes whatever he thinks is viable. In 1989 that was the savings and loan bailout, a Third World debt plan, a modest hike in the minimum wage, a cut in the capital gains tax rate, revisions of the Clean Air Act, and a crime bill. What didn't pass—capital gains, clean air, crime—has a much better chance in 1990 because Bush is more powerful. But that doesn't mean Bush and Sununu planned it this way.

One source of Bush's increased strength is his style of leadership. It took a while for him to market his ingratiating Presidential personality. He deals with allies and opponents on a personal basis, which produces results slowly. "Inside the Beltway, there is no substitute for personal relations," argues Robert Teeter, Bush's pollster and a former adviser to Reagan and President Gerald Ford. "That means he's been able to get through a number of fights and not have them last." The personal touch is not infallible. The President routinely offers Mitchell a free ride home to Maine whenever he flies to the Bush family retreat in Kenne-

bunkport. That didn't stop Mitchell from accusing Bush of "kowtowing" to the Chinese and scheduling the attempted veto override as the first order of Congressional business this year.

Mitchell's unexpected defeat points up another source of Bush's power: Democratic weakness. "No Democratic leadership emerged in 1989, no agenda, and no strategy," says Fitzwater. He's right. Bush also benefits from having experienced and very clever subordinates—Secretary of State James Baker, Defense Secretary Richard Cheney, budget director Richard Darman, even Treasury Secretary Nick Brady. They make few mistakes. Darman's budget essay about Cookie Monster and Hidden Pac-Men was too cute, but still good politics. Leaked three days before the budget was released, it distracted attention from Bush's uninspiring spending plans. Democratic criticism of the budget came off as reflexive, part of an absurd ritual. Of course, the 1,569-page budget also became part of that ritual.

**T**he most tangible form of fresh power for Bush in 1990 comes from the Gramm-Rudman deficit reduction act. Bush last year invoked the automatic spending cuts (half defense, half domestic) provided in Gramm-Rudman when Congress and the White House didn't agree on a budget. Now he's ready to use the provision again, and Democrats are terrified. They voted for it in 1985 on the belief any Republican President would balk at deep cuts in defense spending. That was before communism's collapse. Now Pentagon cuts are palatable to the White House. Democrats want to remove the provision. Fat chance. Darman says Bush is all but certain to veto any bill eliminating it. The President can use the provision—or the threat of using it—to stave off a tax increase and gain deep domestic spending cuts.

Bush acts like a fellow with the upper hand in Washington. He's abandoned deference to Congress. Aboard Air Force One on January 15 he eagerly penciled in sharper language in the text of a speech to the American Farm Bureau Federation in Orlando. He vowed to continue to fight for a capital gains cut. "And I am sick and tired of the demagogues who call this a tax cut for the rich," he said. In Cincinnati on January 12 he complained that his proposals are "bogged down in the jungles on Capitol Hill." OK, his criticism isn't exactly belligerent. But it's tougher than it was.

More clout makes Bush more self-assured. He's not cocky, but he does boast. "The world in January 1990 is a very different place, very different than it was in January of 1989," he told a GOP fund-raiser in Miami on January 19. The implication was it's better, now that the Berlin Wall and Manuel Noriega have fallen. Bush reserves the right to be goofy under pressure. He interrupted a speech to handicapped kids on January 25 when a child in the front row began screaming. "This guy's got to go real bad here," Bush said. "That's OK. We're used to that around here. That's OK, big guy." As the child was carried from the East Room, he howled all the way. •

## Computer crimes and misdemeanors.

# MORRIS CODE

By Katie Hafner

**I**f the vigorous prosecution of Robert Tappan Morris is any indication, the Justice Department would have the nation believe that the 24-year-old graduate student recently convicted of writing a computer program that disrupted a nationwide network in November 1988 represents computer crime at its most pernicious. One of the Government attorneys, in her closing arguments to a federal jury in Syracuse, likened Morris's behavior to that of a terrorist.

Yet the Morris incident has little to do with the real problem of computer crime. Certainly it exposed the vulnerability of the nation's computers. Morris's rogue program brought thousands to a halt, and scientists working on projects ranging from medical research to molecular modeling lost valuable research time. But the shy, sandy-haired young Morris, who waited out the jury deliberations by burying his nose in Robert Graves's historical novel *Count Belisarius*, had no intention of doing damage. He ended up jamming Internet, a loose collection of dozens of computer networks throughout the nation, because his innocuous experiment—a program designed to seep slowly into the network to see how many computers it could reach—had gone awry. Even so, the experiment destroyed no data. And although some of Internet's computers are used by the Government, none contains classified information.

It is not "outsiders" such as Morris—whether they have destructive motives or not—who do the greatest damage, but "insiders." Although numbers are hard to come by, computer security experts estimate that 90 percent of computer crimes occur from within a company, and that high-tech embezzlement accounts for a \$3 billion to \$5 billion annual loss to corporate America. For years banks have known of the danger of widespread electronic bookkeeping. In 1981 well-placed employees at Wells Fargo Bank took advantage of a built-in delay in the computerized transaction records and along with a group of boxing promoters made off with more than \$21 million. A more recent case involved a ring of data-entry clerks at a major retail chain who bilked their company of \$33 million by tampering with electronic information. The Office of Technology Assessment, a few doors down from the Justice Department, concluded in a 1986 report that "the more significant security problem is abuse of information systems by those authorized to use them, rather than by those trying to penetrate the

systems from outside." But fearing bad publicity, companies report few inside crimes. Prosecutions are rare. So the Justice Department went after who it could—a highly visible and easy target.

Even the spectators most convinced of Morris's guilt had the nagging feeling they were watching the wrong trial. But after two weeks of hearing testimony from 14 prosecution witnesses, three defense witnesses, and the defendant, on January 22 a jury of nine women and three men found Morris guilty of the felony count he had been charged with. His was the first jury conviction under a section of the 1986 Computer Fraud and Abuse Act that makes it a felony to "intentionally access a Federal interest [interstate] computer without authorization," and by doing so to prevent the authorized use of a computer and cause a loss of at least \$1,000. The Morris family has yet to say whether it will appeal. But Morris's attorney, Thomas A. Guidoboni, called the statute "unconstitutionally vague," which could provide grounds for an appeal. What, for instance, does "unauthorized access" really mean? As a graduate student specializing in computer science, Morris was an authorized user on computers here and there in the network, even if they constituted a fraction of all the computers his program affected.

Of the three children of Bob and Anne Morris, Robert was the one to follow his father not only to Harvard but into the field of computer security, where the elder Morris is a renowned expert and the National Security Agency's chief scientist. Before going to the NSA the elder Morris spent 26 years at AT&T Bell Laboratories, considered historically the most prestigious private research and development lab in the country, where he helped develop the very software in which his son became expert. A group of computer science luminaries came to the trial in a show of support for the defense. All had worked with Bob Morris at Bell Labs, and several—including the senior Morris—had done their share of breaking into computers in the past. Their presence was a reminder of a long-standing tradition among computer-security experts, under which one earns one's stripes in the field by defeating a computer's barriers. But that was in the old days, when computers were hardly ubiquitous, when the stakes were much lower, and when breaching security was considered to be all in the spirit of science. For the young Morris, these standards still applied. The jury, however, was probably more shocked than amused to hear the defendant testify that he had broken into Bell Labs' computers while in high school and then got a summer job there—after Bell Labs officials found out.

Morris's offense was to release into Internet what's been called both a "virus" and "worm" program. The electronic analogue of biological viruses, a computer virus is a secret program that attaches itself to another program and migrates from computer to computer, "infecting" each one as it spreads. Morris's program was more like a worm; his clever string of codes didn't need to piggyback on another program in order to spread.

Morris told the jury that he did deliberately write and unleash the program, but that he meant for it to plant itself gradually inside the computers, going unnoticed for months. Instead, a critical miscalculation on Morris's part caused the program to duplicate wildly. Within hours of its release, the worm had crashed some 2,500 to 6,000 computers. From the start, the Government argued that it needed to prove only that Morris intended to break into the computers and not that he intended to cause damage. But Guidoboni insisted that the section of the statute in question is meant for those who intend to cause damage.

Why didn't the Government choose to make such a highly public case out of a more patently felonious computer criminal? There was Kevin Mitnick, for instance, a young man in Los Angeles far more criminally inclined than Morris and truly obsessed with breaking into computers. In 1988 Mitnick stole valuable software from Digital Equipment Corporation. Though charged under the same statute, he plea-bargained his way to a one-year sentence. And what about Herbert Zinn, a Chicago high school student who was quietly convicted in January 1989 of illegally copying \$1.2 million in software from AT&T and Defense Department computers? It seems that Robert Morris was chosen because his case was so easy to win: his worm left many angry computer managers in its wake. The Government was not disappointed. The Morris case captured the most publicity of all computer crime cases and brought out the nation's collective anxiety about computer hackers.

The question now is whether Morris will go to prison, and if he does, whether the Government has succeeded in demonstrating that no one, not even a gifted student conducting an experiment on a whim, can expect to get away with it. Sentencing won't take place until the judge hears post-trial motions in late February. According to Andrew Good, a Boston lawyer who instructs other attorneys in the application of the new federal sentencing guidelines, Morris probably faces 18 to 24 months in prison. His maximum penalty would be five years and a \$250,000 fine.

Although some computer scientists and industry groups are hailing the Morris conviction as a vindication of the statute, others are wondering whether it is misdirected justice. "All of a sudden computer criminals are high school students with modems. The computer industry knows it's not true and the Government knows it's not true," said Marc Rotenberg, an attorney specializing in computer crime and the Washington director of Computer Professionals for Social Responsibility. "If the Department of Justice thinks it's sending a message, it's been delivered to the wrong address." Instead of sending a graduate student to prison, the Justice Department should consider leaning on companies to prosecute the real criminals.

KATIE HAFNER is writing a book on computer hackers for Simon and Schuster.

# MEET THE NEW BOSS

By Amy Wilentz

PORT-AU-PRINCE

Partly cloudy. Cloudy periods in Gonaïves. Partial cloud cover in Cap-Haïtien. Chance of rain. Fog. Drizzle. This is what the news sounds like on my radio. In fact, this is all the news you can get about Haiti, in Haiti. On January 22 Gen. Prosper Avril, president of Haiti's military government, imposed a blackout on news not sanctioned by the regime. From then on, news was to be checked by the Information Ministry for its "exactitude and veracity." No news, no matter how exact, could be broadcast if it would "agitate the population." So now there is no news except what is broadcast on state-run media. On the other stations, the weather is apparently the only news not susceptible to censorship, even though everyone knows how inexact the weatherman can be. If you flip around the dial, you can also get sports and prayer.

Rumor and samizdat have replaced the Haitian media. Every day there is a rumor of a new sweep of arrests, and no way to check it properly. Haitians call the rumor mill *teledyol*, Creole for word of mouth (literally, telephone-mouth). *Teledyol* is like the children's game of Telephone: after three calls, or 300, the news—if there was any—has been completely distorted. For example, a rumor that Sgt. Joseph Hébreux, formerly a close collaborator of General Avril's, had fallen from favor combined with an announcement that the new Brazilian ambassador was to present his credentials at the Presidential Palace to form the entirely new and false rumor that Sgt. Hébreux had taken refuge in the Brazilian Embassy.

No one is at home in Port-au-Prince. Phones ring and no one picks up. If you get an answer, you cannot ask for the person you are looking for by name. "Our friend," you say, or "the master of the house," or "that tall fellow," or simply "Monsieur." A friend of a friend lets you know where to meet someone, and another friend tells you when. No one is sleeping in his own bed. At night, a massive game of musical houses is going on.

Decent, upstanding members of society have been arrested and beaten by the president's men, and you can see shock in their eyes. During the four years since Jean-Claude Duvalier fell, they had become accustomed to the various regimes' attacks on slum-dwellers and peasants and other people they didn't know. They understood that such attacks were wrong, and they protested against them, but they never dreamed that Avril, someone they *do* know, would turn his weapons against them and their neighbors. They didn't think that he would resort to the

methods of his late master, François Duvalier, going after the elite, the educated, the reasonably well-off. Now they feel the pain of their beaten backs, their swollen eyes, their punctured eardrums. One of them, a highly placed member of a political party, could hardly bring himself to look at me as he described his beating and arrest. He twisted in pain in his chair and grimaced. "It was so sudden," he said. "Everything was normal, I was having coffee, and then there they were at the door."

Avril's tutelage under Papa Doc clearly has not been without its fruits. He too says one thing to the world and does quite another. Since he came to power in September 1988, Avril has promised to lead Haiti to democratic elections. Publicly he has taken some superficial steps toward a vote. Meanwhile, he has presided over an increasingly violent situation in which all the structures necessary for elections have been ignored, destroyed, or corrupted. As they did under Papa Doc, paramilitary forces have been terrorizing the people in the capital and in the provinces. The military government has taken no steps to prevent such abuses or to prosecute their perpetrators, and has given the green light—and probably the orders—for such violence to continue.

Before Avril, much of the death squad activity was directed at popular movements: peasant organizations, neighborhood committees, church groups. But during Avril's regime, the violence has taken on a new dimension. Since January 1989 more than 350 assassinations have been documented by Haitian human rights groups.

In early November three well-known leaders of popular organizations in Haiti were arrested and accused of planning a massive, implausible coup against Avril and the entire military hierarchy. They were beaten, paraded on state-run television, and imprisoned. Evans Paul, one of these men, runs the Democratic Unity Confederation, an association of grass-roots popular groups. He is boyish at 34, always ready with an earthy Creole quote. Once, when he was talking about the ludicrousness of holding elections under a Duvalierist military regime, Paul laughed and said, "You can't hold a reception in a pigsty." Avril's soldiers took Paul and the others and beat them, stripped them, dragged them up and down a staircase on their backs. Now Paul is bent over and cannot walk unaided. He is still in prison.

Two months after Paul went to prison, Avril went on a fund-seeking trip to Taiwan, an excursion whose great distance from Haiti was a measure of his confidence in the unshakability of his rule. (Most Haitian presidents can risk leaving the country for more than a day only after they have been deposed.) Avril planned to return to Haiti flush with Taiwanese money, triumphant, free from the economic and political pressure of more traditional donor nations such as the United States and France—free, that is, to renege on his electoral promises. Wooden bleachers were erected along the airport road to accommodate the crowds that would welcome the returning hero. On the walls of the capital, soldiers had spray-painted graffiti: "Avril for five years." At important intersections throughout the capital, syco-

phants strung banners: "*Une absence remarquée. Une présence remarquable. Joyeux retour, Président.*"

But Avril's return was less than joyous. While he was in Taiwan three respected Haitians—a priest, a member of the Chamber of Commerce, and an author of the liberal 1987 constitution—sent a telegram to the Taiwanese government warning that Avril represented neither the legitimate government of Haiti nor the will of the Haitian people. The telegram received wide coverage in the Taiwanese media and sent Avril into a rage. He returned to Haiti on January 15 with a pittance in his pocket and a heart set on revenge.

Less than a week later, patrols from the Presidential Guard, heavily armed but in civilian clothes, went out searching for the signers of the telegram, among others. Some 60 people were arrested in the sweep, including two of the telegram's signers (not the priest), various political and human rights leaders, and a number of presidential candidates. Many were beaten. Serge Gilles, a politician who was among the very few credible men willing to work toward elections under Avril, was kicked to the ground and stomped on and beaten with a stone ashtray. Other proponents of elections were hit with butts of guns or had cigarettes extinguished on their eyelids. Some, like Gilles, were later released with cynical apologies, some were expelled from the country, others are still being held. The same day Avril declared a state of siege and suspended several articles of the constitution pertaining to civil liberties. A week later he gave a speech calling his victims anarchists and terrorists. "The real target of the attacks," said one human rights advocate, "is the elections."

What has long been clear to the Haitian people is now obvious even to the most casual observer. Avril was never interested in elections; democracy is not a part of his natural vocabulary. The wages of power are too sweet, the Presidential Palace too imposing, and the position too lucrative to abandon for civilian rule. Like Gen. Henri Namphy, who replaced Jean-Claude Duvalier and from whom historic courage and self-control were hoped for, Avril has proved too much a Duvalierist, too self-interested, and too much in love with his own authority to relinquish the reins of power. In any case, the Haitian army as Avril has reorganized it is too corrupt and restless to submit to a civilian leader.

The U.S. Government, which has always had a soft spot for the English-speaking, American-trained general, is confused about its next step. Alvin Adams, the new ambassador who is less complaisant than his predecessor, arrived recently, and his relations with the palace have been stormy ever since, although the embassy has not publicly renounced Avril. Privately, however, U.S. diplomats are retreating from him. They seem to shy away from any contact. They call Avril "distasteful." At the same time, they say that they cannot imagine a possible successor to the general and feel there is a vacuum of potential leadership now that Avril has so completely taken control of the army. Nonetheless, rumors about a provisional junta selected by the U.S. Embassy to replace Avril are flying through town much

as similar rumors did in the days before Jean-Claude fell—and was replaced by a provisional junta. Back then, everyone wanted to be in the junta. Now rumor has it that everyone so far tapped by the embassy has refused. No one wants to try to tame that army, and no one wants to be provisional anymore.

In other words, the only real lesson about Haitian government that people have learned in the past four years is not to participate in it. Perhaps what Avril's recent atrocities have shown more clearly than ever is that real democratic elections—"free and secure," as the U.S. State Department now describes them—are impossible as long as the old Duvalierist army is running the show. As Father Jean-Bertrand Aristide said, from hiding, in a message broadcast just after Avril took over from Namphy: "One general leaves. Another replaces him. And then? And then, nothing."

Yet there is a palpable feeling in Haiti today that something has come to an end. Almost everyone who has figured importantly in the democratic movement of the past four years—people who wanted elections, people who did not believe change could come through elections, people who wanted to trust Avril, people who could never begin to trust him—is in prison, or in hiding, or in exile. The eternal optimists believe that this is Duvalierism's last ugly shudder. Others feel that Haiti is in for another long spell of dictatorship, that Avril will be impossible to dislodge. Under great pressure, the general has rescinded his state of siege, but most Haitians perceive that move as public relations for international consumption.

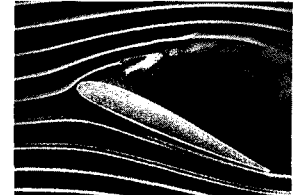
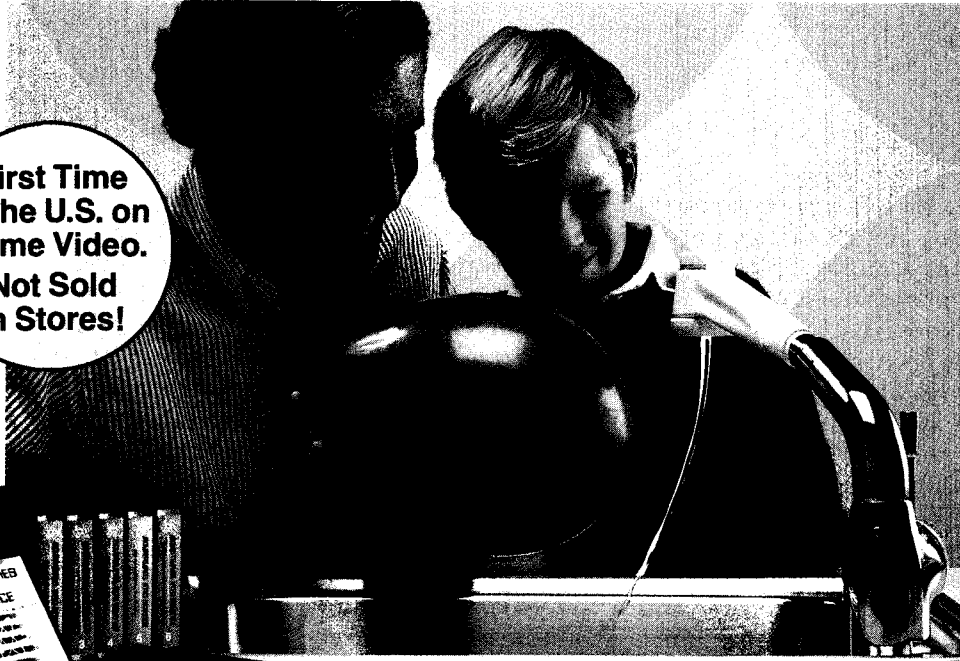
Watching Evans Paul try to walk down a flight of stairs, you begin to agree with the pessimists. Maybe it's all over, you think, maybe Paul and Haiti will never recover. But Paul gets down the stairs, leaning on his fellow prisoner—a former soldier—and on one of his guards, a policeman about Paul's age. The regime is cruel, but connections are still being made from decent Haitian to decent Haitian. Paul makes his way back to his cell. It is clean, and Paul has access to a courtyard from six in the morning until six at night. But because he can't really walk, he can't really enjoy this one small remaining freedom. He could use a cane.

Paul's family brought him a cane. But the head of the prison won't let Paul have it. Luc Desyr, on the other hand, has a cane, an ebony walking stick. Desyr, one of the notorious and very few Duvalierist torturers convicted in the wake of Duvalier's departure, has been living for four years on the cell block in which Paul was incarcerated in November. It shows how little the Haitian government has traveled since Duvalier fell that Luc Desyr, an old torturer with a bad knee, and Evans Paul, a young democrat and a victim of torture, are in prison together. Still it would be nice if Paul could have a walking stick too. Haiti's future deserves to be allowed to advance more quickly than Haiti's past.

AMY WILENTZ is the author of *The Rainy Season: Haiti Since Duvalier* (Simon and Schuster).

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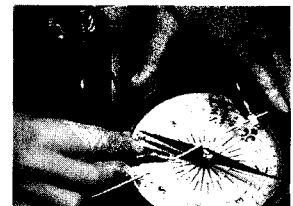
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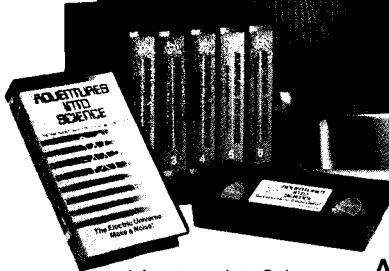
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# GAYS IN ARMS

*By Jacob Weisberg*

**T**he Air Force is looking for a few gay men. To be exact, it's been looking for 18 of them at its Carswell base in Tarrant County, Texas. This is the number of non-commissioned officers who have been implicated in "homosexual activity" in the past two months. Twelve have been discharged, and six more are currently "under investigation," according to Capt. Barbara Carr, a public affairs officer.

At a news conference last month in Fort Worth, one of the 12 described the hunt for the wicked witches of west Texas. In December 1989 an officer of the Air Force's Office of Special Investigations informed him that he had been named as part of a gay ring. His honorable discharge papers were already prepared and would be signed if he cooperated by naming other homosexuals. Otherwise, he would be court-martialed. After six hours of intermittent interrogation in a broom closet with a two-way mirror, the anonymous airman yielded five names, and ended his military career.

The outburst at Carswell is typical of the military's sporadic persecution of gays. For the most part enlisted homosexuals keep quiet, and although friends and commanding officers often know they are gay, most pass through the services without trouble. "Ninety-nine percent go through and do very well," says Sandra Lowe, an attorney with the Lambda Legal Defense and Education Fund. But now and again, either because someone proclaims his or her homosexuality openly or because an officer wants a purge, a dozen or so are exposed and quickly "released," as the Pentagon prefers to euphemize it. According to Department of Defense figures, about 1,400 are expelled in any given year, at a cost of some tens of millions of dollars in lost training.

Women are dismissed for homosexuality three times as often as men are, eight times as often in the Marine Corps. In 1988 agents of what columnist Jack Anderson calls the "notoriously overzealous" Naval Investigative Service (NIS) persuaded one female Marine to give them the names of 70 lesbians at the Parris Island, South Carolina, boot camp. Fourteen members of what the NIS calls a "nest" were discharged. Three who wouldn't name names did time in the brig for sodomy and "indecent acts."

One of those prosecuted at Parris Island was Capt. Judy Mead, a 12-year veteran of the Marines. Mead was

brought before a board of officers on charges of conduct unbecoming an officer for having a "long-term personal relationship with a known lesbian." Although Mead was not charged with being gay herself, she once allegedly slept "in the same bed" with a civilian lesbian and was, on another occasion, "in the presence" of persons suspected to be lesbians. Mead protested she didn't know her friends were gay. One of the officers answered that her antenna should have gone up because her friends played softball and "looked homosexual." The panel recommended Mead for a less than honorable discharge. After a year of hearings and \$16,000 in legal bills she was reinstated by a review board, but soon afterward she was passed over for a routine promotion despite her otherwise excellent service record.

Mead was acquitted because DOD policy doesn't explicitly prohibit association with homosexuals. That's about the only loophole. Under the Uniform Code of Military Justice, any homosexual act on or off duty is sufficient cause to warrant dismissal. Deeming even that too loose, the Pentagon issued a directive in 1982 that broadened the definition of homosexuality to include "a person, regardless of sex, who engages in, desires to engage in, or intends to engage in homosexual acts"—even if "acts" are never committed. This gives the armed forces the authority to terminate servicepersons at whim, on the flimsiest of evidence, for what are in essence thought-crimes. The most celebrated case of the moment is that of Joe Steffan, a naval cadet who stood near the top of his Annapolis class before he was expelled in 1987, two months before graduation, for telling friends he was gay. To date, the Navy has presented no evidence that Steffan ever practiced his preference.

In the wake of the Panama invasion, Americans are conducting a lively public debate on the difficult question of whether women should serve in combat. (For the editors' discussion of this issue, see "Soldier Boys, Soldier Girls," page 7.) Opponents of letting women fight offer objections that are at least plausible. Most women do not meet objective standards of strength and endurance. There are reasons to suspect that sexually integrated units would not perform as effectively as traditional all-male ones. And so on. That is not to say that these objections are fully persuasive; women have never had a chance to disprove them in the U.S. armed

services. Simply out of habit and prejudice, they are also denied many positions they could fill as well as men. In the case of homosexuals, however, the common justifications offered by defenders of the status quo do not make any practical or moral sense.

The arguments against letting gays serve are seldom stated. This is Pentagon policy: no official is allowed to defend the rules on the record. Spokesman Maj. Dave Super is only permitted to quote from an official statement that says "homosexuality is incompatible with military service." Beyond that he repeats that "the policy is the policy." A few months ago "Nightline" did a program on the Steffan case. Since the Navy was unwilling to provide a spokesperson, ABC had to settle for Representative Robert K. Dornan, who raved about sodomy and called homosexuality a mental illness. With supporters like Dornan, the DOD doesn't need opponents.

The last time the Pentagon elaborated its rules on homosexuals was in 1982, when the office of Secretary of Defense Caspar Weinberger promulgated this rationale:

Homosexuality is incompatible with military service. The presence of such members adversely affects the ability of the Armed Forces to maintain discipline, good order, and morale; to foster mutual trust and confidence among the members; to ensure the integrity of the system of rank and command; to facilitate assignment and worldwide deployment of members who frequently must live and work under close conditions affording minimal privacy; to recruit and retain members of the military services; to maintain the public acceptability of military services; and, in certain circumstances, to prevent breaches of security.

This is a jambalaya justification, which tosses every remotely palatable argument in the pot. Consumed in a hurry, it almost tastes OK, but later proves indigestible.

Weinberger's last argument, that homosexuals are a security risk, is the most familiar. It is also the least convincing. As the Navy's suppressed Crittenden report noted as far back as 1957: "The concept that homosexuals pose a security risk is unsupported by any factual data. Homosexuals are no more of a security risk, and in many cases are much less of a security risk, than alcoholics and those people with marked feelings of inferiority who must brag of their knowledge of secret information and disclose it to gain stature." Even if homosexuals were common targets for blackmail, the threat could be eliminated by allowing them out of the closet.

It is the Navy that is most preoccupied with the nexus of homosexuality and disloyalty. During its investigation of the exploded gun turret aboard the *USS Iowa* last year, the NIS put out a lurid story that Clayton Hartwig, one of 47 sailors who died in the explosion, had a "special relationship" with Kendall Truitt, who was the beneficiary of his \$100,000 life insurance policy. There was simply not any evidence for this accusation against the two petty officers. A Congressional hearing later discovered a far more likely reason for the accident: gunpowder used in the 16-inch gun that blew up had destabilized after being stored under improper conditions. The NIS may also have been responsible for the rumor that John Walker, of the Walker family spy ring, and Jerry Whitworth, another

convicted Navy spy, were, in military parlance, "asshole buddies." There is no evidence that the two ever met.

Working backward through Weinberger's laundry list, the "public acceptability" argument is probably as close as the DOD comes to a legitimate worry. The fear is that some young men would be discouraged from volunteering if they knew they would be serving alongside homosexuals, and that parents would object to their boys serving in an unwholesome environment. The same line was taken against racial integration of the services before Harry S Truman accomplished it by executive order in 1948. In that case fears were largely unrealized, and there is every reason to think they are exaggerated today. Public tolerance for homosexuals is now higher than support for racial integration was 40 years ago. According to a recent Gallup Poll, 60 percent of the public believes that gays should be allowed in the military.

The public acceptability argument goes in a particularly vicious circle: gays are unacceptable because they are unacceptable. Straight soldiers will continue to fear and scorn homosexuals until they are forced to become acquainted with them on a routine basis. Of course, the admission of gays will no more eliminate homophobia than the integration of blacks cured racism. But irrational prejudices are bound to diminish over time if the isolation and ignorance they feed upon is ended.

The privacy argument is one that is viscerally felt by many who have served in the military. Soldiers and sailors say they don't want to be regarded with sexual interest when they are naked in common showers or asleep in common barracks. On "Nightline" Dornan compared allowing a homosexual in a barracks to "putting a man in a harem." The truth is that there are plenty of gays in the showers now. Most estimates put the number of male and female homosexuals in the branches of service at ten percent, mirroring the proportion in society at large. Denying this reality may make some straights more comfortable, but it doesn't make them invisible to those who may enjoy gazing at them. The unstated fear of some straights is that acknowledging the presence of homosexuals would free them to stare and proposition more openly and aggressively. But no one proposes to change rules about harassment or fraternization, which prohibit sexual advances and activity on duty.

When Weinberger notes the need to "ensure the integrity of the system of rank and command," he raises the specter that straights would refuse to take orders from homosexual commanders. This argument is again familiar from the time before racial integration. It was asserted then that no white soldier would take orders from a black commander. Some would not, and there were a few courts-martial for insubordination. But the overwhelming majority of whites faced the fact that even if they didn't like taking orders from blacks, they no longer had any choice about it. The same would happen with gays.

It is unclear why the Pentagon believes "mutual trust and confidence" would be undermined by homosexuals.

*continued on page 25*

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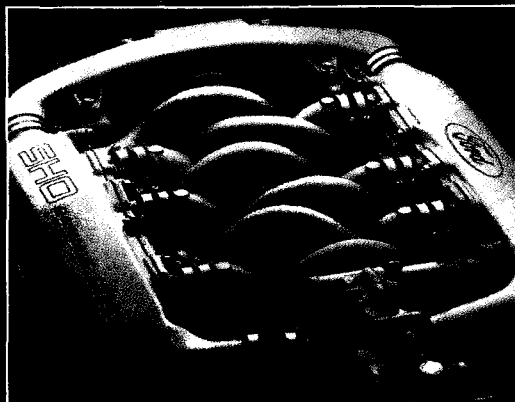


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## ROTC Ya Later

Nineteen eighty-nine was a bad year for ROTC.

The faculty at the University of Wisconsin voted to recommend dismantling the program unless it changed the rules to admit gays and lesbians by 1993. Two students at Northwestern formed the Coalition for Equal Opportunity expressly to protest ROTC's anti-gay policy. Harvard voted to reinstate ROTC after 20 years of banishment (it kicked ROTC off campus in 1969 as a Vietnam protest) but then flipped a week later. Now Harvard will consider taking ROTC back only when gays and lesbians are welcome. Yale voted not to take ROTC back for the same reason. At Iowa the law school refuses ROTC use of its buildings, and the Minnesota student-faculty senate made ambitious plans to launch a nationwide lobbying drive to force a change in Defense Department policy toward gays.

It's not the first time universities have taken on ROTC's ban on homosexuals. Students and faculty at the University of California have been criticizing the program since 1984. But the rules have changed since then. Anti-discrimination policies that previously protected the rights of women, minorities, and the handicapped have been amended at many schools to include gays and lesbians. At a handful of colleges a student can be disciplined, or even expelled, for saying something derogatory about a gay student. And there isn't a major university without its own "Ten Percent Society" or "Gay and Lesbian Student Alliance." ROTC's openly acknowledged rules against gays make it an easy target in the hypersensitive atmosphere on campuses today.

ROTC's policy is the same as the rest of the armed services: "Homosexuality is incompatible with military service." Gays can take the military science classes ROTC offers all university students, but they can't enroll as cadets in the program. This makes them ineligible for the scholarships the Air Force, Navy, and Army award to promising cadets. But a recruiter's ability to discover a potential cadet's sexual preference is limited to what he marks on his application. So it's not difficult for a gay simply to lie. And military para-

noia about gays makes it easy for a gay cadet (or a heterosexual one, for that matter) to beg out of the military at any time with impunity—even after a four-year free ride through school—simply by claiming homosexuality.

Here's how: In exchange for taking one military science class a semester, attending periodic training camps, and serving four years of active duty as an officer after graduation, ROTC pays for full tuition (or a hefty chunk of it), books, lab expenses, plus \$100 a month spending money. If for some reason (lack of enthusiasm, poor test scores) a cadet on scholarship doesn't win a commission, he must either pay back the scholarship in cash or serve four years' active duty as an enlisted soldier. Unless he's gay. Or says he's gay. Or says he's thought about becoming gay. In this case, he'll be honorably discharged from ROTC, and his commission will be canceled, along with all further obligation to the service. Technically, scholarship cadets discharged for homosexuality are required to reimburse ROTC for the scholarship. But this isn't enforced. The Defense Department would rather eat the cost of a cadet's training than weather the bad publicity a lawsuit would invite.

Nobody will say how many ROTC cadets are tossed out each year for being gay. (The Pentagon's statisticians conveniently lump together ejected gay cadets with those disenrolled for "failure to meet weight standards," among other things. They claim that more specific records are not kept, but that one can get the numbers by filing for them under the Freedom of Information Act.) But it's possible to make some reasonable guesses. Of the 20,178 Air Force cadets enrolled at colleges across the country last year, 1,155 of them were disenrolled for various reasons. Suppose only ten percent of them were gay. It costs an average of \$39,598 to train each cadet. That's \$4.5 million. Add in the scholarships that weren't repaid (another \$13,465 per person), and it jumps to \$6 million. Run similar numbers for each of the three ROTC branches, and all told the Pentagon is throwing away between \$9 million and \$18 million, along with a few hundred trained soldiers, sailors, and airmen, every year.

The ACLU is preparing test cases with gay students ejected from ROTC to challenge the policy. But

the Pentagon may not be their only opposition. Not all university administrators, even those at schools with anti-discrimination rules, are eager to see ROTC leave—discrimination or not. ROTC brings a school such as Wisconsin more than \$2 million a year in scholarships and salaries. And ROTC scholarships are strong incentives for attracting minority students, a perpetual problem for Midwestern schools. Added to this are the millions the Pentagon provides universities in research grants, which might be spoiled by sour relations with ROTC. Wisconsin's faculty may have taken a strong symbolic stand against ROTC discrimination, but the school's board of regents isn't willing to take apart the program. Neither are the administrations at the other schools. And there's another problem. Land grant universities such as Wisconsin and Minnesota are required by law to offer military instruction.

ROTC officers disagree about how the controversy will be resolved. "I don't think the protests will have any consequence on recruiting," says Army ROTC spokesman Lt. Col. Cal Blake. The protests might even help recruiting, an Air Force ROTC recruiter told me, drawing students who otherwise wouldn't have joined. But Capt. Gary Beck, head of Naval Sciences at Wisconsin, disagrees. "This all has the potential to have a devastating effect on recruiting," he told a reporter for the student newspaper. In the long run, Beck may be right. And the problem doesn't end with recruiting. The Army, for example, counts on ROTC for more than 70 percent of its new officers. If ROTC-bashing replaces divestment as the next trendy campus crusade, the number of officers coming through the pipeline could drop radically.

In the meantime, ROTC officers are loath to talk about the possibility of gays among their ranks. Spokesmen for the program who were otherwise generous with time and answers suddenly went bureaucratic when I broached the subject. "We like officers to reflect society at large. We want women, minorities, and a good cross section in general," said one Army officer. Does that include gays? I asked. "Sir," he said, "if you'd like I can write down your question and I'll be glad to get back to you with an answer."

WESTON KOSOVA

One possible implication is that gays would be worried about personal relationships rather than about fighting, and would be less willing to make sacrifices for the group. But common sense and the example of ancient Greece suggest that male affection doesn't have to be Platonic to impel heroic deeds. Nor do mutual trust and confidence appear to have been shaken in West Germany, Italy, Sweden, Norway, Denmark, or the Netherlands, countries that allow gays to serve in their armies.

The argument heard most often today is that "discipline, good order, and morale" would suffer if homosexuals were allowed to fight alongside heteros. What's meant here is that the presence of sexual feelings would diminish the dynamic that binds men together and spurs them to fight and die. To be fair, the temper of a platoon that included open homosexuals would probably be different from that of one that didn't. But there is no reason to believe that it would be worse, that unit cohesion would suffer, or that the intangible but all-important process of bonding would fail to occur. The real fear, as Allan Berube, whose book *Coming Out Under Fire: Gay Men and Women in World War II* comes out this spring, puts it, is that "gays would taint bonding and camaraderie with homosexual overtones." Military units are rife with homosexual anxieties in the first place. Like those who make the shower argument, those who make the morale case seem to feel the heterosexual nature of exclusively male activities and situations can't be called into question. The open presence of gays would make the homoerotic elements of bonding undeniable. As Berube puts it: "There's a safety to their not being named."

Many of these points have been made by internal investigations that the Pentagon feels obliged to cover up. The most famous example is the Crittenden report. Though it recommended that the military continue to exclude homosexuals, the study's debunking of the security risk myth and its conclusion that homosexuals perform their duties as well as heterosexuals were enough to get it buried for 20 years, until it was subpoenaed in a court case in 1977.

The story replayed itself just last year, when a report titled "Nonconforming Sexual Orientations and Military Suitability" was mailed anonymously to the House Armed Services Committee. Written by Theodore Sarbin, a psychology professor at the University of California, Santa Cruz, and Capt. Kenneth Karols, a Navy doctor, for the DOD's Personnel Security Research and Education Center (PERSEREC) in Monterey, California, the study asserts that "the military cannot indefinitely isolate itself from the changes occurring in the wider society." It argues that the forces should view homosexuals as a non-ethnic minority group, rather than as deviants or criminals, and should do research to test the hypothesis that gays "can function appropriately in military units."

After receiving the report from Armed Services, Representatives Gerry Studds and Pat Schroeder summoned Sarbin to a meeting on the Hill. They also invited Maynard Anderson, the Pentagon official who

oversees PERSEREC. Anderson criticized the draft and said it was not ready to be released. Studds, who is gay, defended it. "When Gerry said he'd read it, Anderson went pale," Studds staffer Kate Dyer said. "Then he said I have a copy, and Anderson went paler. Then Gerry said he was going to release it to the press and Anderson went white."

Schroeder then asked if there were any other reports in the works bearing on the question of homosexuality. Anderson assured her there were not. A week later another document arrived in a plain wrapper: a PERSEREC report titled "Preservice Adjustment of Homosexual and Heterosexual Military Accessions: Implications for Security Clearance Suitability." Its conclusion is that "homosexuals show preservice suitability-related adjustment that is as good or better than the average heterosexual." The report noted that its results "appear to be in conflict with the conceptions of homosexuals as unstable, maladjusted persons."

DOD's position is that neither report is finished. The Sarbin-Karols study was never even commissioned. The Pentagon says it asked for a report on whether homosexuals were reliable. Sarbin and Karols overstepped the bounds of their assignment by answering that they were *suitable*. "The entire effort, at least to date, is unfortunate," wrote Craig Alderman Jr., Deputy Undersecretary of Defense for policy, in a memo to PERSEREC director Carson Eoyang. "Wholly aside from PERSEREC's lack of authority to conduct research into the military suitability area, we found [the report] to be technically flawed, to contain subject matter (Judeo-Christian precepts) which has no place in a Department of Defense publication." Eoyang memored back that Alderman would not have objected if the report's conclusion had affirmed current policy. Sarbin has since rewritten the study limiting himself to the narrow question of security clearances. He said in a telephone interview that the report has been cleared for official release. But the Pentagon was unable to answer questions about its status.

Within the armed services, support for the policy appears to be weakening. Michael McIntyre, who interviewed officers for a 1980 thesis at the Naval Postgraduate School in Monterey, found that 92 percent of those he talked to did not think homosexuality should be grounds for discharge so long as it did not interfere with job performance. Still, the Joint Chiefs are not about to change of their own accord. "Don't expect them to come forward," says Lawrence Korb, a former Defense official now at the Brookings Institution. "The armed forces is not a social experiment."

Korb thinks the change eventually will be accomplished by legislative or executive action. But both avenues seem closed for the present. Studds says it would be counterproductive to press a bill in the House now, since it would have no chance of passage. "There is no way on earth Congress is going to take the initiative on this," he says. Of course, the simplest way to change the rules on gays would be by Presidential fiat, the way Harry Truman integrated the services in 1948. But then, George Bush is no Harry Truman. •

# BOOKS & The Arts

## Stanley Kauffmann on Films

### Old Times

**Flashback** (Paramount) begins with such a clever idea that as soon as we start to relish it, we start to worry about it. Will the screenplay sustain the idea? Will the plot fulfill the premise? What about the finish? Will there be a credible way out? The answer to all these questions is yes—not in thunder but in congeniality.

Kiefer Sutherland plays an FBI agent in San Francisco in 1989, aged 26. (Which he barely looks.) He is assigned to escort a prisoner, just arrested, to Spokane. That prisoner, played by Dennis Hopper, is a hippie left over from the 1960s, now middle-aged, who is bound to suggest Abbie Hoffman and comparable people. Back in the '60s, Hopper unhooked the last car of a train from which Spiro Agnew had been speaking in Washington state so that the rest of the train steamed off without him. The FBI has been after Hopper for 20 years, not because of the Agnew prank in itself but because he had been tried and sentenced and had escaped. Now he has been found, and young Sutherland is to take him up to Spokane to serve his sentence.

The Spokane airport is fogged in, so the pair have to travel by train. The train is going to have a stopover in Oregon. The airport had to be fogged in, of course: if the pair had flown, they would have arrived quickly and there would be no film. The train and the longer ride provide the arena for plot twists.

These arise initially from a contrast in characters. Sutherland is—ostensibly, anyway—an eager-beaver, by-the-book agent. Hopper is a wily, unflustered, flustering mesmerizer. Sutherland knows what he has been told to do and how to do it. Hopper knows all about circum-

venting every kind of protocol, knows all the rhetoric and strategies of '60s insurrectionists.

If for no other reason than that *Flashback* is a film—thus has to occupy the screen for the better part of two hours—we know that troubles will bubble. Basically what we have here is a reversal of the old generation-gap theme. Here it's not an irreverent youth jabbing a stuffy olderster: an older, wilder man is jabbing a staid youth. Complications, as they say, ensue.

They won't be specified here. I'll note only that some of them are credible, some much less so. But most of them are amusing, and all of them are necessary if the film is to grow and thrive. The victory of *Flashback* is that we accept even the less credible twists because we want the film to grow and thrive. There are two endings—the first one fairly credible, the second one not—but we accept even the second one because it's needed for the

film to exist as what it is. To quarrel with it would be like quarreling with the fact that ballet dancers sometimes move on their toes. Points are one of ballet's necessary conventions; pleasant endings, absolutely credible or not, are a convention of a certain kind of film comedy—of which *Flashback* is a good example. If the film entertains, we want it to keep on entertaining, right through to the arranged finish.

But *Flashback* is, in fact, more than an entertainment: it's a clue. This film was financed by big money, is distributed by a major company, comes to us with orthodox Establishment sponsorship, yet it revels in the spirit of the rebellious and troublesome '60s, and it regrets the passing of that spirit. More, it ends with a hope for the recrudescence of that spirit. At the finish Hopper says to Sutherland: "The '90s will make the '60s look like the '50s."

If it weren't for that line, and a few other incidents I won't tip off, it would be possible to see *Flashback* as a safe patronization of radical impulse that is now passé. But that's not the case. This is the second anomalous product in a few weeks from mainline Hollywood. *Born on the Fourth of July* presents a giant sex star in a film that questions the morality of the whole Vietnam enterprise. Now *Flashback* praises—and predicts the return of—the political energies of the '60s. I don't think that the Gold Coast has gone radical; but Hollywood spends a good deal of time sniffing the zeitgeist—it lives or dies by its readings. Thus these two films indicate that some Hollywood moguls believe that there are millions of people who will respond to the ideas in these two films. The producers' computer printouts may be more of an index to states of mind than most politico-social analyses.

But let's not forget that one of the elements factored into the computer is the quality of the film as such. This one is fast and bright. David Loughery's screenplay is dexterous, if sometimes a bit sweaty

### FILMS WORTH SEEING

**Black Rain.** Shohei Imamura's account of what happened to some survivors of Hiroshima. Unusually gentle for Imamura, yet bitter. And of course exceptionally well made. (Reviewed 2/12/90) **Enemies, A Love Story.** I. B. Singer's novel dared to put four escapees from Nazi terror into an amorous, comic entanglement in New York. Paul Mazursky, with a marvelous cast, has made a fine film of it. (1/1/90) **Glory.** About a black regiment in the Union Army in the Civil War. A very moving story, historically true and, with the exception of Matthew Broderick, grippingly acted. Edward Zwick directed outstandingly. (1/8&15/90) **Henry V.** Kenneth Branagh, who adapted the play, directed, and plays Henry, rides off with laurels. As actor, Branagh is not yet in Olivier's class; but his cinematic sense and his first-rank actors make this a film that will last. (12/4/89) —SK

about it. The director, Franco Amurri, Italian-born, has written and directed two films in Italy (unseen here). In the United States he has worked as an assistant and now makes his American directing debut—gracefully. He has a sense of pace and junction, and he has an eye. His cinematographer, Stefan Czapsky, who shot *The Thin Blue Line*, has his own nice sense of color discrimination.

Sutherland is developing into a competent actor, of which he showed clear promise in his first film, *The Boy Boy* (1984). Carol Kane, who was irresistibly funny in a small role in *Scrooged*, gives a larger, funny-and-sad performance here as a '60s leftover, living alone in a commune. But Hopper carries the film. He has everything the role requires—sincerity plus snake-oil sincerity, agility of several kinds, just the right amount of ham. He even gets to make a joke about *Easy Rider*, which he co-wrote, directed, and played in—way back in 1969.

Amurri was once an assistant to Fellini, and he would quickly recognize that **Cinema Paradiso** (Miramax) is openly an homage to his former chief. So openly that any of us who love *I Vitelloni* and *Amarcord* will be glad that the obeisance was made—especially since it was done with such flavor and deftness. (It even has two Fellini actors. Leopoldo Trieste, who was the aspiring playwright in *I Vitelloni*, here plays an aging priest. Pupella Maggio, who was the teenager's mother in *Amarcord*, here plays the protagonist's mother in her later years.)

The director was Giuseppe Tornatore—it's his second film—who grew up in the Sicilian village where some of *Cinema Paradiso* was made and who presumably became filmstruck at a theater like the one in the title. How much of the story is strictly autobiographical doesn't matter. Tornatore, who wrote the screenplay, presumably used his past both for fact and for imaginative stimulus.

A small boy—enslavingly played by an imp named Salvatore Cascio—hangs around the theater so much that he becomes plague-and-pal of the projectionist, Philippe Noiret (dubbed in Sicilian). The film's framework is the death and funeral of Noiret. The hero, now a successful filmmaker in Rome, hears of his friend's death at the beginning, goes home for the funeral at the end. Between, we see his life.

None of the film is especially surprising. All of it is agreeably familiar: communal feelings—pro and con—in the town; town "characters"; horseplay in the film theater; adolescent love (the teenager is played by Marco Leonardi, the grown man by Jacques Perrin—neither as appealing as the boy); the projec-

tionist urging the youth to get out of this town lest he become one of the "characters" himself.

Noiret mimes his part very well, but with all respect to his talent, I kept wondering whether there isn't an Italian actor—no, a Sicilian one—who could have done the role. This way, we're conscious

every moment that two people are playing the part.

Tornatore has learned much from Fellini—especially in the long shots where someone suddenly appears close up. Let's hope he moves on to his own style. Meanwhile, he has given us a nice bask in Sicilian warmth. •

## Feminists, liberals, and the war on pornography.

# Dirt and Democracy

BY ALAN WOLFE

Pornography exists where sex and politics meet. Since few other activities are as fascinating as these two pleasures, it is no wonder that questions involving pornography have been with us so long.

Sex is, or at least is supposed to be,

*For Adult Users Only:*  
*The Dilemma of Violent Pornography*  
edited by Susan Gubar and Joan Hoff  
(Indiana University Press,  
352 pp., \$39.95, \$12.95 paper)

*Pornography: Men Possessing Women*  
by Andrea Dworkin  
with a new introduction by the author  
(E. P. Dutton, 306 pp., \$9.95)

*The New Politics of Pornography*  
by Donald Alexander Downs  
(University of Chicago Press,  
266 pp., \$42, \$14.95 paper)

*Hard Core: Power, Pleasure,  
and the "Frenzy of the Visible"*  
by Linda Williams  
(University of California Press,  
300 pp., \$18.95)

*Freedom and Taboo: Pornography  
and the Politics of a Self Divided*  
by Richard S. Randall  
(University of California Press,  
400 pp., \$29.95)

intimate, caring, invisible to others: the very definition of private. Politics is, or is supposed to be, open, debatable, a spectacle: the essence of public. A world in which sex and its representations were of no concern to others could not, by force of definition, contain pornography. A world in which politics regulated all sex-

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ual activities and their representation could not, by force of police, contain pornography either. To discuss pornography is always to discuss a matter of balance.

Our politics—the way we balance public and private things—are those of liberal democracy. As Richard Randall stresses in his comprehensive treatment of the subject, both liberalism and democracy are intimately linked to the pornographic inclination, even if that link is troubling and contradictory. Liberalism respects a private sphere within which government—that is, other people—ought not to find itself. Although the founders of liberalism might be unable to imagine their arguments for freedom of expression used in defense of the prurient, pornography could not exist without the two most fundamental props of the liberal world order: a market that efficiently responds to supply and demand, with little concern for the morality of what is traded; and a legal system that places a premium on individual rights.

Yet if liberalism is inclined to protect the pornographic, democracy is inclined to forbid it. Randall is correct to emphasize that it is the elite that seeks to defend the right of pornographic expression and the majority that seeks to curtail it. Politicians never run for office in favor of pornography. Unmoved by appeals to artistic expression, little concerned for constitutional subtleties, worried about the vulnerability of their children, Americans would gladly give up this one liberal right if they could be guaranteed that in return they would be rid of unwanted ugliness. Legislatures and city councils, responsive to democratic demands, regularly try to control pornography; courts, undemocratic in principle and liberal in practice, try to stop them.

In the past 20 years, liberalism and democracy have both expanded in scope.

Pornographers have shared, surely disproportionately, in the expansion of liberal rights that has defined American judicial practice since the Warren Court. The rise of the Moral Majority and other censorial movements, on the other hand, is one of the byproducts of increasingly plebiscitary democratic urges. The result of these simultaneous developments is what Donald Downs calls a "new politics of pornography" in which few of the older images, alliances, positions, and judicial standards make sense. Three developments since around 1970 have set the stage for the new politics of pornography.

First, the form of pornography has changed beyond recognition. Any images men may have in their heads about stag films—any leftover memories of fraternity bashes of the 1950s—have nothing to do with what pornography represents now. The sex is far more explicit; today's hard core is tomorrow's R-rated movie, or, to put it another way, yesterday's illegality is today's television commercial. In addition, the "quality" has improved. As Linda Williams points out, plots have been added, full-length feature status is now the norm, and efforts at credibility have been introduced. The symbol of these changes, of course, is video; most people now watch pornography at home in living color, not in grungy inner-city arcades. And high-definition television, once the Japanese get around to supplying it, is next.

Second, nearly all legal efforts used by local communities to control pornography in recent years have failed. The Supreme Court's 1957 decision in *Roth v. United States*—despite its famous language banning material that "appeals to the prurient interest"—effectively opened the door to previously forbidden sexual expression: 31 obscenity convictions were reversed between 1967 and 1973. The ability of pornographers to use courts and the First Amendment to their advantage (Downs notes that in Minneapolis the MCLU offices were in a building owned by its leading pornographic client, presumably rent-free) led local police to give up even trying to win convictions. Even a town as conservative as Indianapolis was able to initiate only two obscenity cases between 1979 and 1985. During the 1970s and early 1980s, in short, pornography grew increasingly worse as the ability to regulate it declined proportionately.

Third, our awareness that pornography involves violence against women has increased. Of the three developments, this is the most controversial, because there is no absolute proof—nor will there ever be—that pornography *definitely* results in harm to women. (Based on

the Danish experience with legalization, the opposite case is equally as plausible: pornography may also be an excuse for men to masturbate and be done, and thus protect women.) Still, the images contained in pornography, brutal toward all, are most brutal toward women. Pornography is, to some degree, a feminist issue. How much it is a feminist issue is the most passionately debated question in the current writing on the subject.

If questions involving pornography always involve matters of balance, the rise of a new politics of pornography has placed in doubt what ought to be balanced with what. Under the rules of the "old" politics of pornography, the right to free expression stood on one side and the ability of a community to protect itself from untoward sexuality stood on the other. Under the new politics of pornography, violence against women is defined as what we need protection against, whereas what pornography might stand for is not completely clear.

The new politics of pornography crested with the report of the Meese Commission in 1986, which concluded that pornography (including the violent kind) had increased to the point of being out of control. What was most striking about the Meese Commission was not its conclusions, but the way it reached them. For the commission focused specifically on the insult and injury to women involved in pornography, even to the extent of quoting, without attribution, Robin Morgan's fighting words: "Pornography is the theory; rape is the practice." The feminist critique of pornography had arrived.

That critique was the product of the meeting of two minds: legal theorist Catherine MacKinnon and essayist Andrea Dworkin. Dworkin expounded her ideas in *Pornography: Men Possessing Women*, recently republished with a new introduction. In Dworkin's view, sex is power, nothing else; and all the power belongs to the man. Every man is a beast, every woman an innocent and (remarkably, for a feminist) passive victim. Pornography, like heterosexual sex in general, is merely an extreme form by which men exercise power over women.

The philosophy in Dworkin's bedroom is the philosophy of Hobbes. She tells me, for example, that I have refrained from raping my son not because I love him, but because of the fear that when he grows up, he might rape me back. Dworkin, in that sense, is really not all that interested in pornography as such; the chapter of that name in her book is four pages long, whereas the one called "Force" is 70. (Brutal treatments of gay men or animals would not, pre-

sumably, bother her.) Let Dworkin herself speak:

In the male system, women are sex; sex is the whore. The whore is porné, the lowest whore, the whore who belongs to *all* male citizens: the slut, the cunt. Buying her is buying pornography. Having her is having pornography. Seeing her is seeing pornography. Seeing her sex, especially her genitals, is seeing pornography. Seeing her in sex is seeing the whore in sex. Using her is using pornography. Wanting her means wanting pornography. Being her means being pornography.

Dworkin believes that what men do to women in pornography is *worse* than what Nazis did to Jews in concentration camps: "The Jews didn't do it to themselves and they didn't orgasm. . . . No one, not even Goebbels, said that the Jews liked it." Dworkin does Robin Morgan one better: sex is the theory and extermination the practice. Women, though, unlike the Jews in the camps, are fighting back. (Totally passive, they suddenly found a voice.) Her advice to them is: "know the bastard on top of you." Men are scared. The women they have treated pornographically all their lives are massed to castrate them, and Dworkin is wielding the biggest knife.

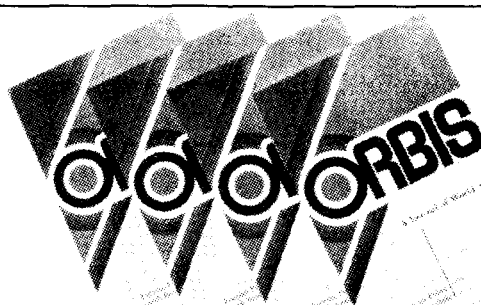
This kind of analysis would hardly seem the stuff of local ordinances—especially in the American Midwest. But, as Downs recounts in his illuminating history of these events, one of Dworkin's readers was Catherine MacKinnon, by all accounts a brilliant political strategist. In 1983 MacKinnon invited Dworkin to teach a class with her at the University of Minnesota School of Law. Two essential conclusions were quickly reached in the seminar: first, that pornography is not a question of free speech, because women cannot speak; and second, that pornography, because it harms women, does not extend civil liberties, it violates civil rights.

The resulting Minnesota ordinance was a first in American law. Pornography—not, as in most judicial decisions since *Roth*, the narrower notion of obscenity—was defined as discrimination against women. Finding herself depicted in what she believed to be pornographic fashion by any image—nine definitions of such depictions were given in the ordinance—any woman could lodge a complaint with the local Civil Rights Commission and, after a series of steps were followed, could win the right to a hearing. The Minnesota ordinance was eventually declared unconstitutional in 1985. Still, we may hear more from the feminist anti-pornographers. Given a censorial mood on campus, which makes it against university policy to say anything deroga-

tory against women, minorities, gays, Native Americans, and the handicapped, we may soon see efforts to ban pornographic films from campus facilities or pornographers from rostrums. There is no way around it. Since the threat of an anti-discrimination suit is designed to stop the practice of depicting women pornographically *before* it occurs, the issue raised by Dworkin and MacKinnon is censorship. Is the harm to women represented in pornography so great that we are justified in using our democratic powers to stop it?

**T**he first reaction to the rise of a feminist movement for censorship was to argue on empirical grounds that the harm done to women by pornography is not as great as feared. It has been said that pornography has targets other than women; that women make and enjoy pornography themselves; that no harm against women from pornography can be proved. Although in a narrow and technical sense these arguments are accurate, they miss the point. When a political position has as much popularity as the desire to control pornography, we ought to give those who hold it credit for their views, not dismiss them as know-nothings, anti-intellectual philistines, or (as Randall unfortunately does) people repressing the pornographic within. When the rage of women is eloquent and dramatic, we ought not let Dworkin's absurd rhetoric deny an important point. Pornography is demeaning, women are its primary targets, and even if we cannot prove that it causes violence, it certainly offends the sensibility of some very engaged citizens.

At this point, a second line of defense against censorship enters: even though pornography demeans women, it serves positive goals that are more important. Whether or not pornography has value, one form of this argument runs, liberty clearly does. Hence pornography can be bad, but what it symbolizes—free speech—is good. Pornography, therefore, has redeeming value in spite of itself. A similar response to the Dworkin-MacKinnon position has arisen among feminists who, objecting strenuously to their depiction of the passivity of women, argue that free sex has as much value as free speech. Did it ever occur to Dworkin and others like her, these thinkers have asked, that women like sex? It was hardly the intent of the feminist movement, after all, to turn all women into Puritans. (For similar reasons, gays objected vehemently to the Minneapolis ordinance.) Revisionist feminists—if they may be called that—also find indirect value in pornography. We have libidos. They



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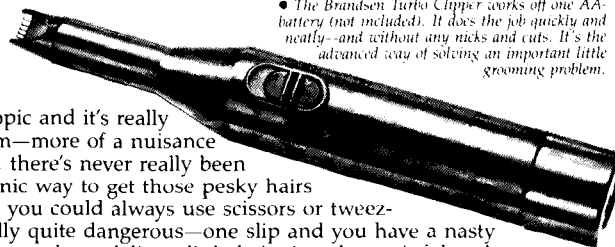
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need outlets. Free speech and free sex both make a certain toleration of pornography necessary.

Both of these arguments are trying to balance the way that the new politics of pornography defines harm with the way that the old politics of pornography defined freedom. It is not easy to do. Harm is concrete, sensate, unambiguous. Rights are abstract and intellectualized, at least one remove away from immediate experience. Weigh the two, and the argument against harm will win, at least with the popular majorities that decide such things. Similarly, the argument for sexual freedom is unhelpful in this debate. Its images of sex correspond exactly to ACLU images of rights: free speech and free sex are private matters, not the business of anyone else. The age of AIDS should teach us otherwise: so long as tax monies are used to save lives, there is a public interest in private sex. The state may not be the best regulator, the regulation itself can often misfire, but a community cannot take a position of moral neutrality toward the libido. Most people recognize, in short, that your sexuality is at least partly my concern. Some sexual freedom is clearly necessary to discover the self. Some regulation is clearly necessary to protect the society without which there can be no selves.

Pornography has little redeeming social value. By artistic criteria, it is close to worthless. Heroic attempts to defend the pornographic imagination by Angela Carter and Simone de Beauvoir (in the case of Sade) or Susan Sontag (in the case of Georges Bataille and Pauline Réage) treat a rarefied aspect of the genre that has little to do with the predictability and the sheer mediocrity of much of the pornographic expression. By criteria of psychological development, moreover, pornography fails again. It infantilizes people, mostly men, locking them into a stage in which limits do not exist, all desires can be satisfied, and every complexity avoided. By the Kantian criterion of respect for persons, furthermore, pornography fails a third time, treating women as things available for the whimsical pleasures of men; pornography in that sense is also without redeeming moral value.

By civic criteria, finally, pornography flunks most severely. Although free speech gives much to pornography, pornography gives almost nothing to free speech. It does not enhance our capacity to act as citizens. It does not cause us to reflect on rights and responsibilities. It does not encourage participation in the life of the community. Pornographers are free riders on the liberties of every-

one else. If a human activity with so little value is balanced against even a slight possibility that it may cause rape and mayhem, the feminist case for censorship would seem to win.

Still, for all that, the bad taste that censorship leaves in the mouth cannot be easily washed away. The question of pornography raises a host of complex moral and symbolic issues that cannot be resolved by banishing the problem's manifestations. On moral grounds, for example, the case for censorship and the case for unrestricted rights to pornography are quite similar—and similarly without nuance. Feminists like Dworkin, who would regulate all the fine details of private life, believe that there is no morality to speak of when discussing pornography; everything is power. Civil libertarians, on the other hand, ruling private behavior beyond the pale of public scrutiny, also believe that there is no morality at issue; everything is principle. The moral neutrality of both positions can hardly win a hearing among most people, who believe that pornography, which is obviously about sex, is also about morality.

Pornography raises issues about the nature of the self, moreover, that cannot be addressed either by banning pornography or by celebrating it. One of the unanticipated benefits of the feminist case for censorship has been to sharpen the sense of what we are in danger of losing if the urge to censor gets out of hand. It is not individual freedom to do or say anything one wants with little regard for the sensitivity of the community. The loss would be deeper, for pornography symbolizes fundamental human needs without which we would not be fully human. Two of them are the need to be aware of the dark side of sexuality and the need to make sense out of multiple realities. If we have learned anything about texts at all in this century, it is that the more readers, the more interpretations—that reality, in short, is never simply one unambiguous thing.

Those who would censor pornography have complete epistemological confidence that they know exactly what it is. Reflecting on the experience in Minneapolis, Dworkin writes: "For women who are hurt by pornography, this law simply describes reality; it is a map of the real world." None of the contingencies and ambiguities of language, representation, and meaning that one finds in thinkers like Derrida or Rorty have made it into the consciousness of feminist censors. For example, Joan Hoff, who frequently cites Foucault on the social contingency of knowledge, argues that we know what pornography

is, even though no history of it is available to us. When that history is written, she already knows what it will say. What is at stake is not whether her unwritten history is correct but that such certainty about historical development is the exact opposite of what Foucault teaches us about genealogies. In Hoff's view—and in the view of many of the contributors to the book that she edited with Susan Gubar—there is only one representation in any pornographic work, the one that brutalizes women.

Linda Williams's book *Hard Core* is a brilliant demolition of the position that pornography represents one thing only. Arguing against the feminist case for censorship, Williams urges that we take pornography seriously, which does not mean that we like it, or that we believe it is art. Remarkably non-evaluative in her description of pornographic films since the invention of moving pictures (she offers a negative assessment only once, on the quality of the music in *Deep Throat*), Williams wants us to learn the rules of the pornographic genre.

All forms of representation have genre rules, and Williams turns to musical comedies to help understand pornography: like hard-core porno films, they regularly break narrative to introduce numbers. (She might also have looked at operas. They, too, have numbers, and one of the greatest works of art written in any genre at any time is about a man who lusts uncontrollably, indeed pornographically, after women. *Don Giovanni* would surely have been actionable under the Dworkin-MacKinnon ordinance.) The rules of the pornographic genre are defined by a fundamental contradiction: if a man enjoys pleasure inside a woman, generally viewed by men as the most satisfying way to experience sexual pleasure, the physical evidence of his pleasure is invisible. The conventions of pornography follow from efforts to capture what the trade calls a "money shot": proving visibly that the man has satisfied himself.

Pornography cannot mean one thing, and one thing only, because genre conventions, instead of confining all reality within pre-established frames, enable multiple interpretations of reality to exist simultaneously. That is why pornography is not, as Dworkin claims, *only* about men brutalizing women. It may equally be the case that what men want to see in pornographic movies is not the naked woman, since most men, in the course of their lives, get to see that with some frequency, but the image of another man enjoying himself visibly, which most men never get to see. We do not know, of course, whether this interpreta-

tion is correct. But Williams's subtle and fascinating explications suggest that, in not knowing, we are best off allowing pornographic representations to exist. Despite what Hoff says, the history, or at least a history, of pornography has been written, and it does not show what she thought it would.

If the feminist censor's conviction that pornography reflects an unambiguous map of reality is naive, so is her conviction that, knowing the single-minded evil it represents, we can abolish it by force of law. Randall makes a convincing case that such an optimistic view of the powers of law is not justified. It is, in his view, the dark side of pornography that makes it important. Humans are the "pornographic" animal, fascinated and appalled by their sexuality. The pornography that we see out there is a reflection of the pornographic deep within our selves. Since pornography is part of what we are, we harm only ourselves by regulating it too severely. At the same time, however, since "complete sexual freedom is a contradiction of the human condition," we will need to control our sexual impulses in some way. Neither censors nor civil libertarians, Randall argues, understand "the paradoxical, mutually supportive relationship between pornography and censorship." We will have to live with various efforts to reconcile sexuality and its control, none of which will ever solve the problem.

**T**he recognition that pornography speaks to needs within the self—its need to interpret as well as its need to express itself sexually—is a much firmer guide for sorting out the new politics of pornography than the purely libertarian notion of individual freedom. For one thing, the issue is not the abstract right of shady businessmen to sell dirty pictures, or the equally abstract right of sexual pleasure-seekers to purchase them—rights that in both cases apply to minorities. Pornography is important, rather, because in speaking to the self, it is speaking to a universal: we all have an interest in the many ways in which fundamental human conflicts are represented in print and in film.

In addition, both the free speech and the free sex argument, reflecting the optimism of liberal rationality, claim that our thoughts and our libidos if left free to roam will, like prices in an equally anarchic market, be guided by invisible hands into public benefits. Liberals, adherents to an all-too-optimistic faith, do not want to peek too closely into private spaces. They fear what they will find there.

Imperfect creatures growing to adulthood with sexual conflicts unresolved,

many of us (surprisingly many, by most sociological accounts) need outlets for our imaginations, relying on our power to give meaning to representations of fantasies buried deep within the self, even if the pictorial representations of those fantasies involve, on the surface, harm to others. A case against censorship ought to argue not that we can discover some redeeming virtue in pornographic expression, but that we cannot.

Considering how rapidly the terrain has shifted in the debate over pornography, we are a long way from developing legal standards that will help us keep in balance the needs pornography obviously serves with the offensiveness it obviously entails. Until such a standard is developed, the debate over pornography will be social, not legal, and its participants will be intellectuals and academics, not lawyers. What we have a right to expect in the debate is honesty. Such an objective is not helped by politicizing pornography as exclusively a women's issue, as if women should compete with other oppressed groups in demonstrating how submissive they really are. The category of woman is both too broad and too narrow to make much sense in this debate.

Two political scientists among the authors reviewed here, Donald Downs and Richard Randall, ought to be commended for trying to develop standards, even though neither is successful. Randall argues that we should make offensiveness, not harm, the crucial offense, a position

that would restrict expression far more than any current standard—given how offensive people like Dworkin find loving and intimate sex, let alone what most people mean by pornography. Downs has a better proposal. He would extend the definition of obscenity to include violence, an attempt he recognizes as largely symbolic but still important in responding to concerns about abuse of women. Downs is essentially arguing that the best course is to have laws on the books against certain representations but not to enforce them. Such an approach makes sense to the degree that it is sensitive to all the contradictions of pornography, but it also is a recipe for disaster in fueling paranoia.

It is no wonder that none of the standards we have established for balancing the concerns involved in pornographic expression—including those tried, valiantly, by the Supreme Court—seems any longer to work. In concerning themselves with freedom on the one hand and community standards on the other, they are balancing the wrong things. We need a standard for pornography capable of putting into balance what we know about the self and what we know about potential harm to others. The feminist case against pornography is powerful and eloquent. But it establishes a border for the public debate, it does not resolve it. Moral philosophers long ago demonstrated convincingly that harm, though a tragedy, does not settle the question of what is morally permissible. •

## *The Ugly American*

BY GARRY WILLS

### **The Diary of H. L. Mencken edited by Charles A. Fecher**

(Knopf, 476 pp., \$30)

**"T**here is, indeed, probably no trace in history of a writer who left more careful accounts of himself and his contemporaries," Mencken claims of his own extensive records. It is depressing to see this keeping of accounts devoted mainly to his own and others' diet and finances. There is barely any interest in other writers' ideas—just an absorption in their income. Certainly no writer's reputation will get a boost from what Mencken committed to his diary. He settled accounts with a mean complacency:

We were all greatly concerned about mother's illness, and I told Dreiser that I feared she might die. But though he knew her and had been her guest in the house he seemed uninterested, and offered no word of hope that she would recover. . . . At the door he still said nothing about my mother. . . . My mother died the next day, but he sent me no message of sympathy. This episode caused me to set him down an incurable lout.

The admirably honest editor of the diary, Charles A. Fecher, has to point out in the notes that Dreiser did inquire after Mencken's mother, and expressed con-

cern when he found out about her death, in two letters that Mencken answered amicably, just five years before this diary entry. Those who trust Mencken's memory, sometimes going back five decades in his memoirs, are frequently put on guard by the diary.

Mencken could hardly steel himself against another more fiercely than by connecting thoughts of him with his mother's death. Mencken lived in her house, her loving "bad boy," for whom she fixed his favorite foods no matter what hour he got in from his newspaper work. The "naughty" Mencken always had something of the brilliant adolescent about him, the schoolboy's bathroom humor (*pp* should be played on the piano, he told his male music group, like "the sweet tinkle of angel's piss") and the underlying fastidiousness. After saying in the diary that no one should discuss sexual encounters, Mencken is stirred by the sexual brazenness of "bobby soxers" in the 1940s to the repugnant memory of the bold teenager who "seduced" him: "I was seduced at fourteen by a girl of my own age, and she had thrown off the pall of virginity before I tackled her." Mother would not have liked her at all. Thenceforth Mencken's flirtations would be verbal.

After his mother's death, Mencken did marry (at age 50) an adoring research assistant 18 years his junior, an invalid not expected to live three years (she lived five). They kept separate rooms, and he never felt the challenge of an equal under his roof. (His wife ended letters, as his mother might have, "I worship you.") After her death Mencken wrote that Sara (but not he) would have liked a child but that was impossible, since she never recovered from her illnesses. There seems to have been little if any sex in a marriage of which his warmest tribute in later years said, "Marriage is nine tenths talk."

Despite his public rhetoric of manly debauchery, Mencken was narrow and censorious in his private account of others, suspecting the worst motives in his colleagues, fearing Communists and

Jews (often the same thing) in the editorial and union makeup of the magazines and newspapers he worked at. Women are noticed mainly for their ugliness, men for their sloppy drinking and financial habits. At the 1948 convention, only the Dixiecrats seem honorable and principled to Mencken. At earlier conventions, Prohibition had been the only issue he really cared about.

Some have professed surprise at the racism and reactionary politics revealed in the diary. They have little excuse. Mencken's famous accounts of political

scholars now doubt that there were many "social Darwinians" on the American political scene in this century. But even the most skeptical scholars, like Howard L. Kaye, admit that Mencken really did propose a cultural "survival of the fittest." In his admiring book on Nietzsche, published in 1908, Mencken wrote:

There must be a complete surrender to the law of natural selection—that invariable law which ordains that the fit shall survive and the unfit shall perish. All growth must occur at the top. The strong must grow stronger, and that they may do so, they must waste no strength in the vain task of trying to lift up the weak.

Women, Jews, Southerners, non-Germans were all inferior by Mencken's genetic standards. Women, weaker than men physically, "cultivate cunning" in a compensatory way, as do ingratiating Jews and Negroes. Thus women must become

shrewd, resourceful, and acute; but the very fact that they are always concerned with imminent problems [of physical weakness] and that, in consequence, they are unaccustomed to dealing with the largest riddles of life, makes their mental attitude essentially petty. . . . The net result is that feminine morality is a morality of opportunism and imminent expediency, and that the normal woman has no respect for, and scarcely any conception of abstract truth.

As Mencken told Charles Angoff, the Jewish editor who worked with him for years at the *Mercury*: "Women are weak, their guts are always out of order. There isn't a woman alive over the age of 15, who hasn't some sort of pain up her ass or in that

messy neighborhood all the time." One of women's guiles is to suggest their own victimization in rape as if "a 'lady,' by virtue of being a 'lady,' is necessarily a reluctant and helpless quarry in the hunt of love" (remember that 14-year-old hussy?). He also mocked allegations of "so-called wifebeating."

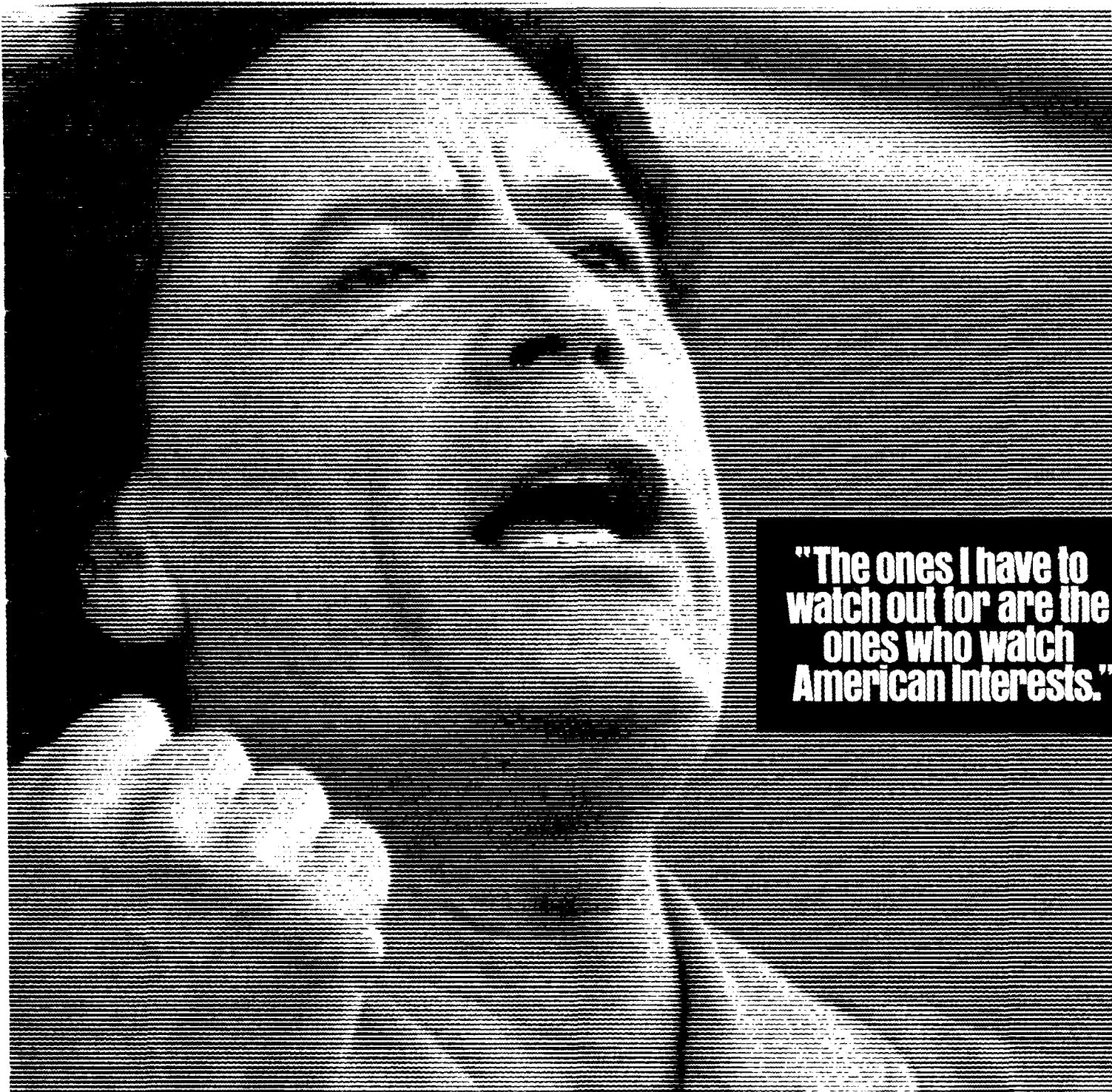
The Jews, in Mencken's view, have foisted on the world their own *Sklavemoral*, undermining the *Herrenmoral* of conquering races. They are cunning because weak, like women. The Jewish ethic challenges, for instance, "the quite natural act of destroying one's enemies." Jews invented "the theory of humility."



H. L. MENCKEN BY VINT LAWRENCE FOR THE NEW REPUBLIC

conventions, funny in their description of the show-business aspect of politics, were always useless in their political predictions and analyses. The diary shows that he lumped together in one disagreeable clot all labor leaders, Jews, New Dealers, and Communists. The only thing that interested Mencken about Roosevelt's death was the prospect that Eleanor would now be shut up.

Mencken often boasted that his ideas had not changed since his earliest expression of them in his books on Nietzsche and Shaw. Those who laughed at his hyperbolic prose could not believe he meant what he said—but he did. Some



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Blacks prove their inferiority by the very fact that even baser whites, like the Southerners, can impose their rule on them: "In the Southern states the educated white class—which represents, though in a melancholy fashion, the Nietzschean first caste—has found it easy to take from the black masses their very right to vote, despite the fact that they are everywhere in a great majority numerically." That last fantasy, of blacks outnumbering whites "everywhere" in the South, shows how much fear went into Mencken's vision of "strength."

**T**hese ideas were not adolescent quirks that Mencken outgrew. In both world wars, he praised the Germans for their Nietzschean code, and he never bothered to notice the Holocaust. In 1942 he expressed regret that the Menckens had ever left Germany. "My grandfather, I believe, made a mistake when he came to this country.... I remain a foreigner." In 1944 he observed Nietzsche's birthday, privately.

Before the First World War, Mencken had been more public in his comments, as in his article "The Mailed Fist and Its Prophet" (1914), which rejoiced at the fact that "streams of parallel ideas coalesce. Germany becomes Nietzsche; Nietzsche becomes Germany." Efficiency is bought at a price. Inferior beings cannot be allowed to infect their superiors: "[Wilhelm] Kock rid Germany of typhoid fever by penning up the population of whole villages and condemning whole watersheds. It was ruthless, it broke down and made a mock of 'inalienable' rights—but it worked."

Mencken is best remembered now for his role at the evolution trial in Dayton in 1925. By accident, he and the defense lawyer Clarence Darrow were together in Richmond when it was announced that William Jennings Bryan would defend Tennessee's anti-evolution statute. Mencken advised Darrow to break his policy of not seeking clients. He should defend John Scopes. But he told Darrow: "Nobody gives a damn about that yap schoolteacher [Scopes]. The thing to do is make a fool out of Bryan." To that end, Mencken made himself Darrow's "consulting man," helping him find expert witnesses, stage-managing the Dayton trial as much as he reported on it. When this kind of coaching and cheering takes place today—as when George Will helps Ronald Reagan rehearse for a debate before reviewing the outcome on television—the keepers of journalistic ethics rightly protest. But Mencken was more an impresario than a mere advocate in Dayton.

Still, he unexpectedly left town just

before the dramatic climax of the short (eight-day) trial. Darrow's cross-examination of Bryan on the Bible. Mencken went to political conventions and stayed for "the show," yet he missed the best part of his own show. He never gave a good explanation of this, and he emphatically denied that it was because of physical threats. The diary's abject concentration on Mencken's fears for his health and safety may confirm the suspicion that threats did work. Like most admirers of bullies, Mencken was personally rather timorous. He saves for the diary the insults he would not speak to people's faces. So he left Darrow to take any trouble that might come in Dayton; but he was quick to boast, when Bryan died almost immediately (of severe diabetes), "Well, we killed the son of a bitch."

Bryan was a fundamentalist, which was bad enough in Mencken's eyes. But he was also the man who ran for President on the most leftist platform of any major candidate in this century, who championed women's suffrage, the income tax, railroad regulation, popular election of Senators, campaign reforms, pacifism, and an end to capital punishment. He summed up everything Mencken hated in the *Sklavenmoral*. The delayed little pettinesses of Mencken's private papers—more of which will be released down the years—show how badly a man dwindles once he starts worshipping strength. Mencken was the victim of his own *Herrenmoral*.

GARRY WILLS is the author most recently of *Reagan's America: Innocents at Home* (Doubleday).

## The Professor of Necessity

BY DAVID BROMWICH

### The Ideologies of Theory: Essays 1971-1986 by Fredric Jameson

(University of Minnesota Press, 2 volumes, 212 pp. and 230 pp., \$35 each; \$12.95 each, paper)

**"I** must create a system," said Blake, "or be enslaved by another man's." The vanguard slogans of the human sciences today have a rather different sound. To be ensnared by any number of systems, in succession or all at once: that is the favored stance.

Fredric Jameson, who has published studies of Sartre and Wyndham Lewis, came to be widely known in the early 1970s, with two books of a different kind. *Marxism and Form* surveyed a tradition of critical and utopian speculation generally associated with Adorno and the theorists of the Frankfurt School. *The Prison-House of Language* canvassed the structuralist theories of the sign, with a polemical argument for their relevance to literature. Both of these books successfully combined the format of an advanced primer with the subject matter of the history of ideas. As primers, their appeal derived from the unusual fact that the author himself had a point of view. A Marxist who disclaimed the reductions of "vulgar Marxism," he was seeking to learn what he could from the European schools of anthropology, social theory, linguistics, and psychoanalysis. In the decade and a half since,

Jameson has come to be identified with the thesis that the production of modern works of art is linked to "the political unconscious" of capitalism. Many of the essays in these two volumes allude to the thesis, or treat it as an accepted premise.

Some inveterate traits have become more marked in Jameson's recent work. Broad if obscure assertions ("Style is a middle-class phenomenon") mingle freely with casual dicta. There are frequent calls for a show of rigor, appeals to confer on literary study "the dignity of a science." At the same time, sentence after sentence resorts to a cozy patter of "kind of's" and "something likes" and other formal tokens of intimacy, and the prose throughout betrays the common symptoms of position-taking writing. Why this curious blend of moods? The reason may be that Jameson's work now reflects an acute consciousness of being read by intellectual consumers a good deal younger than himself.

These readers, he observes in a preface to *The Ideologies of Theory*, have come to expect "theoretical codes of all kinds," and their demands "are henceforth a fact of life of our intellectual space." But the same readers will want to sample a variety of moralizing attitudes

toward the codes. Anyway, to speak fluently about "situations of theory" (the title of Jameson's first volume) or "the syntax of history" (the title of his second) is often a puzzling experience, "closer to the learning and practice of foreign languages" than to any earlier training for a scholarly discipline. Henceforth, to address the strangeness of this experience, a new class of scholars is called into being, whose aim is to translate and broker among the available languages, to convey up-to-date instructions on what to think and how to think, and to sustain a labor force that now absorbs and discards in record time the jargons of a profession.

**T**he *Ideologies of Theory* can be read profitably as an expression of the outlook and current morale of the new class of scholar-brokers. But within that class, Jameson's politics are an anomaly: "Now that we have come to understand counterinsurgency warfare and neocolonialism not as freely chosen options of good or evil political leaders, but rather as deeper and more ominous structural necessities of the American system . . . now that we have learned the facts about American responsibility for the beginnings of the cold war . . ." Even in the audience he writes for, whose refinement has often placed them beyond much concern with facts, few will have begun by sharing anything like these opinions. Jameson elsewhere exhibits a strong relish for parahistorical coincidence (of the it-is-not-accident type), as when he announces that "the introduction of television" and "the beginning of the cold war" took place suspiciously in the same year (1947). Against the terrible tidings of that year, certain happy memories are to be cherished—for example, the memory of Maoism and the Chinese Cultural Revolution, a legacy concerning which any doubts are "part and parcel of the larger attempt to trash the '60s generally."

A satisfying measure of submission is offered, in short, to all more thuggish pieties of the Marxist left, past and present. What is hard to capture with quotations is the texture of Jameson's polemical writing, in the rapid fire of random causerie and conspiratorial skirmish. The following excerpt from a typical longer sentence will give some sense of the atmosphere:

Paradoxically (yet in a peculiar replay of the belated and peculiarly French ideological function of romanticism itself, in the 1820s) it is now the conservatives who are the modernists (a stylistic slogan that reduces itself to a kind of internationalist and pro-American celebration of

California-type modernization), while the Socialists are symmetrically positioned within a dreary "realism" to which a range of old-fashioned and outmoded attitudes are attributed . . .

The chief function of such a passage is not only to adopt a wised-up, hard-left stance but to suggest, with inverted commas, attributed attitudes, and jeering parentheses, that everyone is in on some fix. An impression is thus created of an always-earned distrust, with a rasp and thud of insinuation that has no end.

The already converted will know what they are getting, and will not recoil from the smallest particle of the analysis. But Jameson is unlikely to be read with comparable effects by those who come to him without a settled view of international politics. For such readers, I suspect, his work will serve instead to confirm a pronounced distaste for all political engagements, on the ground that all are equally contaminated by a universal bad faith. And yet this cynical conclusion itself fits in with Jameson's larger project: the displacement of worldly politics by "the politics of interpretation."

Here, it must be said, he covers so wide a field that his writing promises a tremendous advance of understanding. He deals, sometimes allusively, sometimes extensively, with Sartre, Lacan, Barthes, Foucault, Althusser, Lévi-Strauss; Marx, Nietzsche, Weber, Freud; Heidegger, Adorno, Benjamin; with ambitious recent books by Hayden White, Alasdair MacIntyre, Louis Marin, and others. Read in long doses, these essays are, in their way, extremely useful. They show what the intellectual history of the 20th century may look like when one views it through the dominant trends of literary theory in the last 20 years.

A persistent loyalty to two theorists, Georg Lukacs and Herbert Marcuse, stands out as a constant emphasis, though Jameson is able to incorporate their thinking only in foreshortened versions: Lukacs, minus the belief in a class whose objective knowledge of the world coincides with the mission of changing it; Marcuse, minus the belief in the work of art as a paradigm of human autonomy and non-repressive sublimation. These are, in both cases, essential beliefs. But "knowledge," "class," "autonomy," and "the human" are ideas that Jameson looks on with feelings ranging from skepticism to extreme contempt. What remains, then, to fortify his own quest as a revolutionary Marxist, and as a utopian theorist in the late 20th century?

The answer—which emerges gradually over the course of his writings—is the sheer romance of vast impersonal forces. This becomes quite clear in the latest and most ambitious of his essays, with their developing theory of modernism and postmodernism. Modernism, for Jameson, is a catastrophe, or at best a diversion. Postmodernism, by contrast, he describes as an apocalyptic liberation. But it will be well to approach these entities slowly, along the path Jameson himself has followed, and start, like him, with the building blocks of a general theory of aesthetic and social phenomena.

Four elementary components or "blocks" are discernible in most of these essays. Without going as far as Jameson, who presents a variety of technical diagrams and grid analyses and occasionally assigns positive and negative valences to the "politically progressive" and "politically reactionary" drift of rival thinkers, we may, for convenience, number the blocks and treat them as separable propositions.

### *Riva Looking Towards Sirmione*

At the stem end of the great blue pear of Lake Garda  
between Alps where the rain has just slashed,  
a rainbow arcs among the clouds' blue rocks.  
Lake water trembles between stone shoulders,  
the same color as the storm-ashened sky.  
Haze hovers there like a white fence,  
between the heavy gun-metal blue water  
and the sculpted blue vapors in high winds.  
The algae on the boatdock steps underwater  
are no less green than the trees on the mountains.  
Rain pocks the body of the lake into thin skins of water  
which reflect for a moment, then are gone.

**FRED DINGS**

1. *A substantial historical reality forms the object of critical practice.* This reality is not merely the sum total of positive facts. To speak of it is not, therefore, merely a pragmatic device that gives consistency to our discussions. The reality exists outside ourselves—indeed, very far outside. It is constituted by a striving for domination that is beyond the influence of individual human agency. (In an earlier phase, it was also partly constituted by a striving for the conquest of nature, but that process is now complete.)

From works of social theory in the tradition of Hegel and Marx, we come to know the deep laws of reality. From the discoveries of empirical science, we come to know certain of its surface phenomena. It follows that one cannot in any circumstances make sense even of one's "physical body" without taking into account the "social body" in which it participates. In the study of literature, formalism corresponds to the mere data of empirical science. Marxist historicism, on the other hand, corresponds to "the point at which a specialized discipline is transcended toward reality itself." By this means alone "the techniques of literary criticism find their ultimate ground in historical reality."

2. *Everything in the realm of art or thought can finally be reduced to a "text," except history.* Books, paintings, films, dreams, everyday chatter, grand theories, personal fantasies and most group fantasies: all share the status of texts, and have the relation to reality of an effect to a cause. We can bend all these phenomena any way we like without being wrong about them, so long as the result shows a tight conformity to the historical reality by which they were produced.

This relation of history-as-cause to text-as-effect is not to be confused with the notion of an economic base that generates and determines a superstructure of idealisms. For texts are capable of reacting again upon the culture that produced them, and in that way yielding secondary effects of their own. Meanwhile, apart from the text, and opaque to every common effort of the will, stands history. It decides in advance the thoughts and the dreams that are conceivable at a certain time and those that are not.

3. *Like people, works of art are possessed of an unconscious, and by analyzing that unconscious we bring to light their implication in history.* The deep ideological structure of a given historical moment may be understood by analogy with the unconscious in psychoanalysis. It throws up on the surface, in the form of texts, symptomatic expressions that are the necessary mask for repressed materials. Under questioning, a text can be made

to yield up those materials, and the analyst will be led back to the concealed origin of the text in history. "Ideology," Jameson explains, "does exist objectively, but not in the form of a text; like the unconscious, it is therefore not directly accessible to us, but only insofar as we have reconstructed it in what has today come to be called 'textual' form, with which the literary text can be placed in an active relationship of reaction, transformation, reflection, repression, or whatever."

It is a plain disadvantage of the analogy, which the historical critic must agree to live with, that no text can deliver as "active" a response as a patient can. On the other hand, the method itself embraces a certain imprecision. Jameson suggests that not only individual texts, but whole periods of literary or cultural production, may share a single "unconscious." Sometimes this collective unconscious is transferred to quite short periods, known chiefly to the political historian—1830, 1848, 1871—or to famous decades like the 1930s, the 1960s, or whatever.

4. *The relationship of text to historical reality is generalized, and enters the understanding of a culture only by means of some master "narrative."* Nietzsche's story about the way that Christianity transformed pity into a unique virtue, so that the classical world could be conquered by a slave morality, is an example of such a narrative. Another is Marx's story about the change in the relations of production from feudalism to entrepreneurial capitalism to monopoly capitalism. Evidently, a narrative of this kind serves to mediate between the "accident" that is a text and the "essence" that is historical reality. Just what truth-value that implies for narrative-as-such, Jameson never makes clear, though he now and then demotes a persuasive but noxious narrative to the category of myth. In any case, the interpreter is always free to alter a particular narrative—a freedom he does not enjoy in his relations with history.

Jameson's work contains many warnings, in the usual Marxist vein, against the idleness of moralism. Commonly, he will invoke a "historical, rather than an ethical, perspective." Those perspectives are supposed by many thinkers to be far from incompatible, but a reason for the warnings will now be apparent. In the making of a theoretically true but unchecked narrative, he needs to claim the liberties of an aestheticism without restraint.

Points 1 and 2 represent an anti-humanist purification and updating of 19th-century doctrines of scientific historicism. If they were all of Jameson, he would command interest only as a sum-

marizer (which is what he is in any case, over large tracts of his writing). But his theses concerning the flexible uses of a general narrative, and the transfer of the psychoanalytic unconscious from the individual to the society, can seem to poise the historical critic on the brink of a vast new field of exercise, and to place nearly within his grasp discoveries of a more than intuitive character. Both of these ideas, however, bring with them peculiar dangers.

Jameson shows what they are very vividly in an essay on "The Ideology of Modernism," when he charges modernist writers with recounting private truths of a sort "that no longer engages the fate of a nation." What sort of narrative does engage the fate of a nation? Or rather, what sort will a nation compel, when it looks on artists as instrumental to its fate? The argument verges here on a call for propaganda. Just a few lines earlier, in keeping with the same demand, Jameson has denounced the writings of Hemingway and Faulkner for their "tourist or magnolia exoticism"—a phrase with an interesting history, for it is not just trash, it is Stalinist trash, an exact transcription of the language reserved in *The New Masses* 50 years ago for modernist "escapism." But it remains a delicate business here to distinguish the needs of a Communist narrative from those of a fascist narrative. Both of those "collective projects" point to the sort of national allegory that Jameson wants. Both, too, are adept in excluding those who do not belong, implicitly and without controversy. Finding, in Alasdair MacIntyre's *After Virtue*, a discussion of just such acts excluding the delinquent members of a community, Jameson emphatically assents to their necessity, and concludes that they are part of the tacit knowledge "that essentially defines community."

Thus it would be wrong to suppose that a master narrative, as Jameson understands it, is bound to be a liberating narrative. It would be wrong for the same reason to think that his protocols for interpreting the unconscious are aimed at the enlightenment of art. It must be admitted from the first that the "insights" into which his analysis flows are apt to have about them something spurious or anti-climactic. Here, for example, is what it looks like when we get to the bottom of the political unconscious of Cubism:

The fact remains that Cubist paintings also have content, and that content is, if you will, simply the painter's garret, the *bateau lavoir*, "ma jolie," Paris 1900, and the situation of the artist himself in it, his patrons among intellectuals and aristocracy, the collectors and the dealers, the Americans, the Third Republic, and ultimately the en-

tire cultural and historical moment itself as it leaves its concentrated trace in the round stain of a wine glass on a deal table.

Back to earth with a slow release of breath and a low whistle, one comes to see that nothing really has been said here, nothing beyond the level of a few readily accessible landmarks and clichés. (The style is a ghastly-fancy pastiche of Rod Serling.)

**B**ut this is to jump ahead. In the essay from which the words above were drawn, "Modernism and Its Repressed," one can glimpse Jameson in a sustained act of deciphering a text's unconscious. The text is Robbe-Grillet's novel *Jealousy*. The inference to be made, slightly implausible on the face of it, is that Robbe-Grillet will turn out to have been writing an anti-colonialist narrative. Two initial problems confront the interpreter. Problem one: this novelist, in his theoretical work, has heaped scorn on the very idea of political interest in fiction, since he regards it, like most other kinds of interest, as an antiquated sentimentality. Problem two: the novel, very promisingly from the unconscious point of view, is set in a colony, but it does not portray the natives either in a positive or a negative light, for it does not portray the natives at all.

In solving these difficulties, Jameson goes to work quickly and expertly. It happens to be known that Robbe-Grillet is a Cartesian purist about "sight." His aim as a novelist is to detach things from their customary pathos. "What if," asks Jameson, the sense of strange detachment in the prose, instead of being part of an aesthetic program, "were rather the vehicle for something like a will to power over the external world?" Where the external world is a colony, and a will to power means colonial domination, could this perhaps imply that "the apparently purely formal disembodied compulsion of the gaze across the fields has genuine political and economic content . . . and this despite the fact that we are never given to witness any overtly oppressive act committed by the 'narrator' against the native population, and, indeed, in the virtual absence of the field workers themselves"?

Despite the fact and indeed, in the virtual absence of most things are possible in criticism. The next step is to assert that when not only the proper constituents of the interpreted scene, but the scene itself, is absent from the work in question, that is because it stands at the very center of the repressed unconscious of the work. This step Jameson actually takes in his 1988 lecture "Modernism and Imperialism," which marks an afterthought to the related essays of *The Ideologies of Theory*.

Here it is asserted that *Howards End* has got to be about imperialism on the grounds that (a) it is about England, and (b) in the years before the First World War, the prime novelistic subject *just was* the status of the Empire. The problem is that the subject is simply not in the book. There are no colonized, there is not even one proletarian type; even Leonard Bast "is carefully characterized . . . as standing 'at the extreme edge of gentility.'" What now, asks Jameson, if we try to read this absence itself as a kind of presence, as an "internal subsumption" of the colonial subject, as a way of dramatizing the "representational dilemmas of the new imperial world system"? Pretty plainly, the analysis advances one notch, and anything said about a detail of the novel will now count as an observation on Forster and the colonial subject.

Notice how irresistibly this logic may expand. If A talks about X with B, but B thinks that A should have been talking about Y, a sufficient cause for the omission may be adduced, without any risk of challenge, in the theory that A was *enacting the internal subsumption of a representational dilemma about Y*. Anything I seem to say is only a deceptive covering for the thoughts I do not dare to think. "He that believes this, may believe more": one would like Dr. Johnson's comment to suffice. But in a successfully politicized culture of the arts, where critic B wields institutional authority over novelist A, argument along these lines might easily take on rather unpleasant practical overtones.

**S**till, for Jameson, analysis of the political unconscious is only a means to an end. Let us take him at his word, and estimate his value as a theorist by his own master-narrative, concerning the transition from modernism to postmodernism. A distinct advantage of Jameson's method is that he works with familiar counters. His modernists are people like Joyce, Beckett, Kafka, and that invaluable composite personage "Cubism." His postmodernists are people like Cage, Venturi, Doctorow, and a choice half dozen of the top 20 on the MTV hit parade. None of the argument is made to depend on the judgment of a modernist whose fame is less than general, or a postmodernist so esoteric that a whole body of new work requires to be introduced. The digestibility of the story comes from the sharpness of a stereotype.

We have to reconstruct the broad features of Jameson's argument from passing statements in a number of essays: "Architecture and the Critique of Ideology," "The Politics of Theory," "The Ideology of Modernism," "Periodizing

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the Sixties," and "The Ideology of the Text." I will also draw on his 1984 *New Left Review* essay "Postmodernism"—advertised here as one of three book-length projects now getting ready for press. In the end, however, the richness of these materials proves disconcerting, for they offer two contradictory accounts of what modernism was, and they come to rest in two contradictory attitudes toward postmodernism in culture and society.

**M**odernism One is the name of an evasion—something important that did not happen. Modernist art, on this view, never separated itself from the commanding aesthetic of 19th-century realism. The characteristic productions of high modernism must accordingly be read as the texts of a "canceled realism," a mere "stylization" of realism. To come to know a novel like *The Castle* means to discern, under the shocks and discontinuities, which are so much waxwork, the bones and the animating organs of an older realism. "And this," Jameson announces, "is a type of reading utterly unlike anything hitherto known in the history of literature."

In fact, what he has described is simply a conventional procedure of allegorical substitution: the Book of Jonah was in this sense the canceled realism of Jeremiah. But for Jameson the implications of his discovery run deep. Recall the absolute primacy of his belief that in the study of literature, we can reach down and touch the bedrock of historical reality. All readers who grant this "in their heart of hearts . . . know that John O'Hara's novels still give a truer picture of the facts of life in the United States than anything of Hemingway or Faulkner."

To judge by such verdicts, the "hitherto unknown" therapy of reading hardly differs from the conventional routines of middlebrow reviewing in the year 1950. But things warm up considerably when we come to Modernism Two. Here are "irony, complexity, ambiguity, dense temporality, and particularly, aesthetic and utopian monumentality"—in short, everybody's modernism. It may represent only "an aestheticizing reaction against the sordid realities of a business civilization." But presiding over all its works stands the figure of the artist, an internal exile dedicated to life in the "symbolic" realm, who has found a way of "resolving contradiction by stylistic fiat."

Modernism here exhibits a marked shift—whether politically progressive or reactionary—from earlier methods of representation. The very existence of such works suggests the possibility of an

alternative life, beyond the reach of mass practices and without any interest for the engineers of the soul. Finally, this modernism offers an ideal of pleasure apart from the pleasure of commercial satisfactions. Modernism One could not last because it never actually came into being. By contrast, Modernism Two had to end because it succeeded too well. The bohemian withdrawal of the artist has been thoroughly assimilated as a style of life and therefore nullified. The alternative culture of the avant-garde has been so generalized by imitation and absorption in the general life that it has lost its distinct identity.

This prospect of a "gray tastelessness" and a technological uniformity brings us in sight of Postmodernism One. So far, it looks a great deal like the world of Marcuse's one-dimensional man, and the view we are urged to take is correspondingly grim. "High modernism," which peaked and blew out in the 1960s, "was oppositional and marginal." Postmodernism is "no longer at all 'oppositional' in that sense; indeed, it constitutes the very dominant or hegemonic aesthetic of consumer society itself and significantly serves the latter's commodity production as a virtual laboratory of new forms and fashions."

**F**or Jameson, the 1960s mark a unique terminus, for in that decade the avant-garde, both in society and in the arts, flared up in one last collective promise before all was lost, "the last vestiges of non-commodified or traditional space . . . now ultimately penetrated and colonized." (The last outposts of resistance were, of course, "the Third World" and "the unconscious.") It is a picture of unrelieved bleakness. And yet, reflects Jameson, "all of this can also be said in a different way":

With the eclipse of culture as an autonomous space or sphere, culture itself falls into the world, and the result is not its disappearance but its prodigious expansion, to the point where culture becomes coterminous with social life in general. . . . In the society of the spectacle, the image, or the simulacrum, everything has at length become cultural.

So the coming to total power of an aesthetic morality of leveling, deindividuation, and the successful engineering of mass experience is seen as possibly fortunate after all. How can that be?

It turns out that every evil that we deplore in Postmodernism One can be re-described as the look-alike or uncanny "double" of some utopian good. The anti-human processes of mass technology may suggest a revival of collective vi-

talities after the "private languages" and "fragmentation" of high capitalism. The tastelessness of a culture where everything has become cultural perhaps signifies a principled revolt against the invidious hierarchies of money and power. Even the leveling power of television can be seen as a commendable turn against elitism: *everyone* is famous for 15 minutes.

The shift from Postmodernism One to Postmodernism Two has been almost imperceptible, but we have now tipped well over to the other side, and are ready for Jameson's celebration of "free-floating intensities of feeling," "a peculiar kind of euphoria," and, in a stunning phrase, "superficiality in the most literal sense." Modernism lived against its contradictions, in tension with mass culture. We have now got to accept "a postmodernism that simply ratifies the contradictions and fragmented chaos all around it by way of an intensified perception of, a mesmerized and well-nigh hallucinogenic fascination with, those very contradictions themselves." I can only read this as a judgment that under postmodernism, the revolutionist has become indistinguishable from the conformist. And this is so, Jameson says, not because the masks have become more deceptive, but because the two persons are now one and the same.

**I**n a long and inventive essay on Max Weber, easily the most interesting thing in these two volumes, Jameson praises Weber for his "heroic cynicism," and describes the stance as follows. In the late 19th century, "We are faced with the peculiar impression that life becomes meaningless in direct proportion to people's control over their environment and a humanization of the world goes hand in hand with a spreading of existential despair." In such a situation, Jameson goes on to say, "the most original thinkers . . . choose and will the very experience of meaninglessness itself, and cling to it as to some ultimate reality." However tendentious this may be as a historical portrait of Weber, it makes an extremely apt description of Jameson's own stance as a postmodernist. And as he pursues the characterization of Weber, it grows harder and harder to pick out the differences between the peculiarly modernist crisis and the peculiarly postmodern one.

Both are identified by Jameson with a final "colonization" of nature by the human. Both alike are a total condition, an ultimate reality. We have already seen why, if Jameson's modernism is nothing but canceled realism, the name itself ceases to have any practical worth for a historian. The same goes for his postmodernism. If it amounts only to one more "final" humanization of the world, one more experience of "meaningless-

ness itself" as the "ultimate reality," it might as well be called a continuation of modernism by other means—"contenting itself with eliminating the affective charge of pathos, of the tragic, or of anxiety, which characterized the modern movement." We are confronted in that case with a long century and a half of "superficiality in the most literal sense."

The truth is that as a historian of modern culture Jameson has yet to make a start. Others besides him have argued that the old descriptions will not serve the world of the multinationals and the mass media, and the ethic of rapid exchange and total participation that both induce. As an expositor of postmodernism, Jameson is remarkable chiefly for his stress on the alien character of the new life and its necessity. But as his attacks on modernism have grown coarser and more predictable, his embrace of the

postmodern has become in proportion curiously messianic. His latest essays carry gnostic overtones of a wish for destruction that must go all the way, for the sake of some later creation that will break up our exhausted intuitions about human nature. If, in modernism, humanization and desecralization of the world went hand in hand with enlightenment, in postmodernism the same process will continue until its meaning is reversed. We may thus look forward to a world that is inhuman, resacralized, unenlightened—and obedient to necessity. Maybe this is what has to become of Marxism, or any other historicism, once "the humanist component" has vanished.

DAVID BROMWICH is the author of *A Choice of Inheritance: Self and Community from Edmund Burke to Robert Frost* (Harvard University Press).

## Science for Sale

BY DANIEL J. KEVLES

### Gene Dreams: Wall Street, Academia, and the Rise of Biotechnology by Robert Teitelman

(Basic Books, 237 pp., \$19.95)

On October 14, 1980, Genentech, the promising biotechnology company located on the San Francisco Peninsula, went public, offering one million shares for sale at \$35 each. In a little more than an hour after the opening bell, all the shares had been snapped up and were selling at \$89, before dropping down to close at \$71.25. Wall Street had contracted biotech fever. During the next several years, more than 100 biotechnology companies raised some \$500 million in capital, promising revolutions in medicine, pharmaceuticals, and agriculture from the commercial exploitation of diverse advances in molecular biology.

They were armed with distinguished scientists from institutions on the cutting edge of biology, recruits from the National Institutes of Health (NIH) and prestigious universities. They promised quick and sure profits. But the biotech fever peaked, and now it is just about gone in the public capital markets. According to a recent survey, three out of four chief executives of closely held biotech companies expect their capital futures to lie not in the public markets, but

in acquisition by other firms.

*Gene Dreams* is Robert Teitelman's cold-eyed account of the biotech industry's transition from Wall Street darling to doormat. As a journalist covering the business side of biology during the 1980s—he is now a senior editor at *Financial World* and a columnist for *Oncology Times*—Teitelman was struck by the disparity in most biotech companies between stock prices and fundamental commercial potential. He wondered, among other things, why so many academic biologists rushed to industry; why Wall Street rapidly embraced, then just as rapidly spurned, biotech; what impact the Street's bullish-turned-bearish hug exercised on research programs and product development. Teitelman gets at these questions in his book by focusing on a single company that seemed better than most to illuminate all of them. The company was Genetic Systems, which rose on the horizon of biotech in 1981 and blazed a path across the new firmament until 1985, when it was swallowed up by Bristol-Myers.

Teitelman tells the story of Genetic Systems with verve and clarity, ably—though at times rather too breezily—



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attending to the scientific context, the quirks of personality, and the financial manipulations that shaped the tale. The context comprised remarkable advances in biology, including the techniques of recombinant DNA, which permitted the production of otherwise rare proteins, like the interferons; the isolation in quantity of monoclonal antibodies, which could reveal precisely the presence of diseased cells; and the identification of oncogenes, which, when switched on, caused cells to become cancerous. Outside the laboratory, the situation was changing, too. There was an increasing squeeze on federal funds for biomedical research and a trend, accelerated once Ronald Reagan entered the White House, that encouraged federal and academic laboratories to foster private-sector exploitation of knowledge acquired at public expense.

Equally important was the dissatisfaction of a growing number of scientists and their lay allies with what they perceived as an unadventurous, intellectually conservative biomedical establishment, especially in cancer research. Teitelman writes insightfully, "At the very least, biotechnology represented a radical decentralization of the biomedical establishment. By opening up new avenues of financing, biotechnology offered a way of getting around the established peer-review system and the dominance of institutions like the NIH." Teitelman finds a dress rehearsal for Wall Street's romance with biotechnology in the interferon crusade a few years earlier, in which people such as Mathilde Krim, the wealthy health activist, celebrated the substance as a potential cancer cure and touted it to the media over resistance from biomedical authorities. Those authorities ultimately had the last word—interferon proved not to be a panacea for anything—but not before dozens of companies had successfully obtained money from Wall Street with vague promises of interferon research. "Interferon," a scientist quipped in 1980, "is a substance you rub on stockbrokers."

Massaging stockbrokers came naturally to the prime movers in the creation of Genetic Systems—the brothers David and Issac Blech, neither of them more than a decade past their college graduations, one of whom told the other on the day that Genentech went public, "I can do that." One of their first steps toward actually doing that was to capture Robert Nowinski, an ambitious microbiologist at the Fred Hutchinson Cancer Research Center in Seattle, who provided the company with good sci-

ence and capable scientists. The Blechs lured Nowinski with an annual salary of \$100,000, a company car, 1.2 million shares of stock, and a pledge that they would raise \$3 million to \$4 million privately in six months.

They did, obtaining a sizable fraction of the money from Syntex, the prosperous biomedical firm based in Palo Alto. In return for the Syntex investment, Genetic Systems would market certain of its products through Syva, a Syntex subsidiary. Next, the Blechs and Nowinski took Genetic Systems public on June 4, 1981, offering a million units—three shares of common stock plus three warrants on future stock purchases—at six dollars each. That first day the price jumped to \$14. Teitelman observes dryly that the company raised its initial money "with no hard assets, no products, no history to speak of," adding, "it was pure concept; it was the biotech everyman."

Genetic Systems' initial market strategy was to develop products for rapid diagnosis of the sexually transmitted diseases—herpes, gonorrhea, and chlamydia—that were much discussed in the early 1980s and the incidence of which was said to be rising at a menacing rate. The company aimed to develop monoclonal antibodies to detect several forms of the herpes virus as well as the microbes responsible for the other two afflictions. Syva would sell the antibody diagnostic kits.

Yet the company had a longer-run strategy: to go from monoclonal diagnostics to monoclonal therapeutics. If monoclonal antibodies could find diseased cells with unerring accuracy, they might be able to deliver therapeutic substances to them with equal precision. That logic eventually led Nowinski to put Genetic Systems into the cancer business: use appropriate monoclonals to find cancerous cells and attack them. In 1982 he recruited George Todaro, one of the pioneers of oncogenetic research, from the NIH and put him in charge of a new subsidiary, Oncogen, ownership of which Genetic Systems shared with Syntex.

Todaro had been only too glad to join the enterprise. He felt a decline in the funding and quality of research life at the NIH. Oncogen provided a handsome salary, an abundance of perks and stock options, and a quasi-academic atmosphere. Following the model of Genentech, Genetic Systems and its offshoots were latitudinarian about its staff's choice of research projects, gave plenty of freedom to publish scientific papers, and boasted an informal, iconoclastic, very West Coast in-house style. But Biotech companies liked to portray

themselves as, in essence, fundamentally scientific outfits. Like most other firms, Genetic Systems had a distinguished scientific advisory board. Such boards gave these companies *éclat*, made them appear to be on the cutting edge, instilled investor confidence, brought in more capital.

Appearances counted for a lot in the early biotech days, when dreams rather than actual products were for sale. Genetic Systems' diagnostics strategy was sensible, since antibody tests promised to improve on existing techniques. Wall Street brokers like D. H. Blair made the strategy seem a financial sure bet, forecasting in a report a worldwide monoclonal market of some \$2 billion, declaring that Syva would be making commercial sales of Genetic Systems products in the second half of 1982, and emphasizing that royalty revenues would "flow directly to Genetic Systems' bottom line."

Teitelman notes that at the time Wall Street was, in a sense, at the mercy of biotech analysts. It was a new job, and "an analyst could be wrong for a long, long time before anyone caught on." Investors might seem to catch on; the price of the stock would sag. But then it would be driven up again by a new prognosis of profits or an announcement from Nowinski. When, in January 1983, the news was released about the formation of Oncogen and the acquisition of Todaro, Genetic Systems stock shot up two dollars a share, a rise of 20 percent. The company's "burn rate"—the rate at which it was spending its available capital—might be high; an influx of new capital would occur when a deadline kicked in on the warrants to buy new stock.

But appearances and optimism could only go so far. D. H. Blair's report, for example, neglected to address key relevant issues, including how fast the big markets would develop and how much competition they would generate. The Blair forecast also failed to consider that Genetic Systems stood to earn a five percent royalty on Syva's sales, which would translate into \$5 million a year of revenues only if Syva sold \$100 million worth of kits—a level unlikely to be reached rapidly, since Syva's total sales in 1981 came to only \$66 million. Breaking into the diagnostics game was not simple and easy for a new company with new products, and the game did draw competitors, notably the giant Abbot Laboratories, which, in 1984, weighed in devastatingly against Syva.

Genetic System's freewheeling, quasi-academic atmosphere came at the ex-

pense of stability and control. A company administrator declared, "You had a whole bunch of scientists who were . . . used to changing direction on projects whenever they wanted, rather than the profit or results orientation you have from a business point of view. Intellectual curiosity—or what kind of neat thing I wanted to work on—passed for planning." Product development might be proceeding poorly; Nowinski did not want to hear about it. He was the prototypical biotech entrepreneur—a quick study, charismatic, mercurial, energetic, creative. Teitelman observes that his talents were "perfect for deal-making, the restless, relentless construction of new relationships," adding, "they, and he, were not so good with the management of old ones."

Nowinski kept inventing strategies and deals to improve the company's market and capital positions. Genetic Systems embarked on a joint project with a small Southern California firm to develop an analytic machine to facilitate use of its diagnostic tests; it obtained the sole U.S. license from the Pasteur Institute, in Paris, to develop a diagnostic test for AIDS based on the LAV virus. Nowinski started discussions with Syntex, in 1985, to make Syva the marketer for its AIDS test and wound up with another deal: Syntex would buy 18 percent of the company for \$40 million and would get the option for a fixed period to purchase the entire diagnostics part of the operation. The deal was tentative, subject to stockholder approval at a meeting scheduled for early in 1986.

In the interim, Bristol-Myers moved in. The major drug companies—longtime money machines, since people get sick in recessions as well as prosperous times—had been sluggish in taking up biotechnology. For a number of reasons, however, the money machines had been slowing. Monoclonals seemed worth a wager, and Bristol-Myers already had a substantial cancer program. Early in 1985, Bristol-Myers had bought part of Oncogen. In September, when it got all of Genetic Systems, it was willing to shell out \$10.50 a share, or a total of \$294 million. The Blechs came out of the deal with \$10 million each; Nowinski, with \$6 million plus his job.

Teitelman extracts from the story of Genetic Systems several observations about the biotech industry. In the early 1980s the industry was largely betting on the prospect of technological possibilities—raising public capital to invent, rather than to perfect and market, new products. It was different from the semiconductor industry, whose companies generated new products before or soon

after they went public. Because so many biotech companies went public early, they lengthened their exposure to the hazards of outside financing.

Such observations are apt, but—at least in the case of Genetic Systems—not altogether satisfying. The price of the company's stock roller-coastered up and down, no doubt generating huge profits for some but also huge losses for others. *Gene Dreams* is written from the point of view of ambitious companies and the financial markets, not from the perspective of investors and the effects on them. Caveat emptor and all that, one might say; and, true enough, Genetic Systems was exposed to the risk of being burned out by its capital burn rate. Still, financially, the company and its close-in backers came out handsomely in the end, to say the least. Then, too, Teitelman focuses on the hype, neglecting to explain what—surely it was more than the accumulation of capital—made Genetic Systems worth almost \$300 million to Bristol-Myers.

Whatever may have contributed to the company's value, it was not anything resembling a biotechnological revolution. The revolution has not arrived, although blockbuster breakthroughs may be waiting in the wings both in agriculture and in medicine, including cancer. Perhaps they are what Bristol-Myers is banking on, and perhaps it acquired Genetic Systems to position itself better for the biotech future. What has arrived involves new ways of producing pharmaceuticals, certain new techniques of diagnosis, a few new drugs, vaccines, and stimulants to growth. There have been "no miracles," Teitelman writes, "only developments." Much of biotechnology is technique—using, for example, recombinant DNA in research, analysis, and manufacturing—and technique diffuses easily into whatever corporate laboratories may wish to exploit it with profit. The boundaries of the biotech industry have indeed become increasingly blurred, embracing firms that range widely in size and nature, and whose product goals are as diverse as pharmaceuticals and fertilizers, plants and microorganisms, or disease diagnostics and gene-sequencing technologies. As Teitelman says, the advent of biotech companies jabbed a "highly bureaucratic biomedical establishment" out of its complacency, creating a phalanx of institutional shock troops—perhaps a permanent one—unabashedly targeted on profits, adventure, and progress.

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money was never collected in taxes. Add those two numbers, subtract them from \$75 billion, and you get the measure of Moynihan's "fiscal irresponsibility."

The editorial argues that the deficit-reducing pressure of the Moynihan plan can be enjoyed without the fiscal irresponsibility by simply taking Social Security "off-budget." Over two or three years, it urges, stop subtracting the Social Security surplus from the proclaimed government deficit. This is essentially the same as Darman's scheme, with the healthy difference that it would start biting before the next Presidential election. But, like the Darman scheme, it's just an accounting shell game. I suppose there is some added psychological pressure when a larger number gets the official label "THE DEFICIT." And Gramm-Rudman, to the extent it works and isn't amended, adds political pressure. But anyone who can add and subtract will know that nothing real has changed. The Moynihan plan, by contrast, will actually increase the Government's demands on the credit markets, unless the gap is closed. Those markets will create *genuine* pressure on the Government to close the gap.

It's fine to state as a principle, as TNR does, that each generation should pay for its own retirement. Even conceding the question whether this is possible (the resources consumed in the future will be produced in the future; all an entire society can do is take steps today to make itself richer in the future), it should be noted that this principle is a recent one—1983, to be exact. Most of today's Social Security taxes pay for today's retirees; only the surplus is being "saved." If we only had to cover our own retirement, the Social Security tax would be far lower than even Moynihan is suggesting. The problem is unavoidable in converting from "pay as you go" to "pay for yourself." But there is no reason this double generational burden should be financed entirely by the most regressive sort of tax on workers.

Likewise, if the challenge is seen more abstractly (and more correctly) as a nation investing for a prosperous future, rather than as a "trust fund" per se, there is no reason such an admirable goal should be financed through a regressive payroll tax. By rejecting Moynihan's call for a cut in the Social Security tax *even if* the money is replaced through spending cuts and tax hikes—on the grounds that these measures should be reserved for reducing the deficit—TNR is accepting the notion that this terribly unfair tax should be a major source of government revenue for at least another generation.

**MICHAEL KINSLEY**

# WASHINGTON DIARIST

## Who won Europe?

FORTY YEARS AFTER "WHO LOST China?" began the ideological wrangling of its day, ask the question "Who Won Europe?" and liberals and conservatives begin to squabble. The veneer of civilization at Washington parties is thin these days as representatives of the two sides proclaim it was their ideas that brought the Commies to their knees. It's a legitimate quarrel, this contest over who gets credit for the most delightful trend to occur in any of our lifetimes. But there's too much revisionism going on.

IT'S PRETTY OBVIOUS WHY BOTH sides can't just say, "We were wrong." You don't give up on twin religions, anti-communism and anti-anti-communism, just like that. Conservatives should quit pretending that somehow what's happened is precisely what we had in mind for the last 40 years—that communism's ending up on the dustheap of history was the logical consequence of our strategic doctrines. The talk around the table when I was growing up was how to ensure against what James Burnham called "Suicide of the West." We thought Spengler was an optimist. We were worried about survival and not very hopeful about "rollback." Though its invocation was red meat to conservative audiences over the years, it wasn't a serious possibility. The recent events were an unintended rout that conservatives seldom dared contemplate. But before we admit that *we* were wrong, a little humility on the other side would go a very long way.

I SLOGGED THROUGH THE REAMS of end-of-the-decade copy looking for someone to print a reworking of John Reed to be called "Ten Weeks That Shook the World." That *TNR* was the only publication I saw to play that riff shows just how dazzled most people are by these events. *Time* wasn't dazzled, however. No, *Time*, natch, knows exactly what to think. The collapse of communism is . . . a victory for leftism. Or so Strobe Talbott thinks. In granting Gorby "Man of the Decade," *Time*'s editor at large declared that the collapse of communism proves "the doves in the Great Debate of the past 40 years were right all along." Well, that's one way of looking at it. Rather than give a smidgen of credit to Reagan's revival of

the American economy and spirit, his sticking to the Euromissile deployment, his advocacy of SDI, and his leadership of the West after the dismal '70s, Talbott says, "It's solipsistic delusion to think the West could bring about the seismic events now seizing the U.S.S.R. and its 'fraternal' neighbors." At best it's single-entry book-keeping to think our success juxtaposed against their failure was lost on a fellow worthy of Man of the Decade status. The West's success in the '80s sure wasn't lost on the East Germans, whose sense of outrage about the failure of the Honecker government was heightened by their daily glimpses of West German television. Talbott argues that we never should have taken the Soviet threat seriously because it was doomed to collapse, and anyway their missiles couldn't hit the broad side of a barn. That's certainly a novel reinterpretation of history put forth by those who, like Talbott, argued that SDI was a needless provocation to the insecure, and heavily armed, bear. After all, if there was a need for arms control, as Talbott declared in one book after another, what was it the world had to fear? A U.S. first strike?

WHY CAN'T THE LEFT GIVE REAGAN a teeny-weeny bit of credit for having exacerbated the pressures on Gorbachev that helped make him lift the Soviets' boot off their neighbors' necks? In the interest of peacemaking, at least as far as Washington party patter is concerned, I have an idea. Let's give the credit to rock 'n' roll. I've long believed that if Radio Free Europe had been playing Gang of Four and The Clash instead of the Carpenters and such rot, the Wall would have come toppling sooner. Real rock 'n' roll is subversive for capitalist and Communist societies alike. And let's not forget that it was the Sex Pistols, back in 1976, who discovered the Berlin Wall, at least so far as pop culture is concerned. There was nary a yip about the oppression in the East throughout the entire hippie experience until punk, thank God, blew that era away. Of course, not even rock 'n' roll *predicted* the recent events, unless you count its perennial subtext of peace, love, and understanding. And between '78 and '80 the post-détente renaissance of the cold war was signaled as much by such punk classics as the Automatics' "When the Tanks Roll Over Poland Again" as it was by Norman Podhoretz. (This short-lived era of evenhandedness—blaming the Soviets every bit as much as the United States for the problems of the world—ended in '81 when The Clash put out "Sandinista," the sentiments of which seem about as quaint today as all those VW bugs with "Reagan '84, War '85" bumper stickers on 'em.) But let's not forget that Charter 77 in Czechoslovakia, from whence Vaclav Havel emerged, was

formed, in part, as protest against the persecution of Plastic Peoples of the Universe, the great rock band of the Prague Spring. (And who was it Havel just met with? Not Strobe Talbott, but Frank Zappa.) The rock scene this past decade in Moscow, Prague, Warsaw, and Budapest, replete with its inherent message of youth striving for freedom, surely predated the magical events in the last few months in more direct fashion than any manifesto on the need to negotiate an arms agreement.

ONE THING EVERYONE IN WASHINGTON seems to agree on is that the end of communism will be bad for Republican candidates. There's something to that. Republican politicians need to retool, or else those pushing an obsolete product—the anti-communism of old—will soon be out of a job. But why is the media focusing only on what the changes mean to the conservative movement? You can argue about whether those who were obsessed with a nuclear freeze only a few years ago are discredited by communism's collapse. What seems beyond argument is that Mothers Against Nuclear Bombs Ruining Your Day have been made as irrelevant as Paranoids for a Strong Defense. Perhaps what is most to be feared by conservatives is the behavior of our own as investment opportunities arise in Eastern Europe. The U.S. envoy to Hungary, Mark Palmer, has just resigned his post to join a consortium buying a Hungarian bank. Palmer told the *Times*, "If you stand in the lobby of the Forum Hotel, you are lucky not to get knocked down. The gold rush is on in Hungary." This is the kind of person, to steal from Jerry Rubin's description of Tom Hayden, who gives opportunism a bad name.

THERE'S AN OPPORTUNITY IN Asia, however, I fear we're missing. But with all the evidence about the role communications technology has played in the lifting of the yoke of the oppressed, it was a little strange to read recently that the Bush Administration is denying CNN the right to broadcast to the Vietnamese. This does not make sense—unless there's a strategy at the State Department that we don't know about. I'm hoping it's a ploy to ensure that, along with CNN, the Commies there have to open themselves up to something truly revolutionary. Like MTV. It would be nice to think of the heirs to Ho Chi Minh as the next victims of the Derrick-and-the-Dominoes Theory.

**JOHN BUCKLEY**

John Buckley, a sometime Republican operative, is author of the forthcoming novel *Statute of Limitations*.



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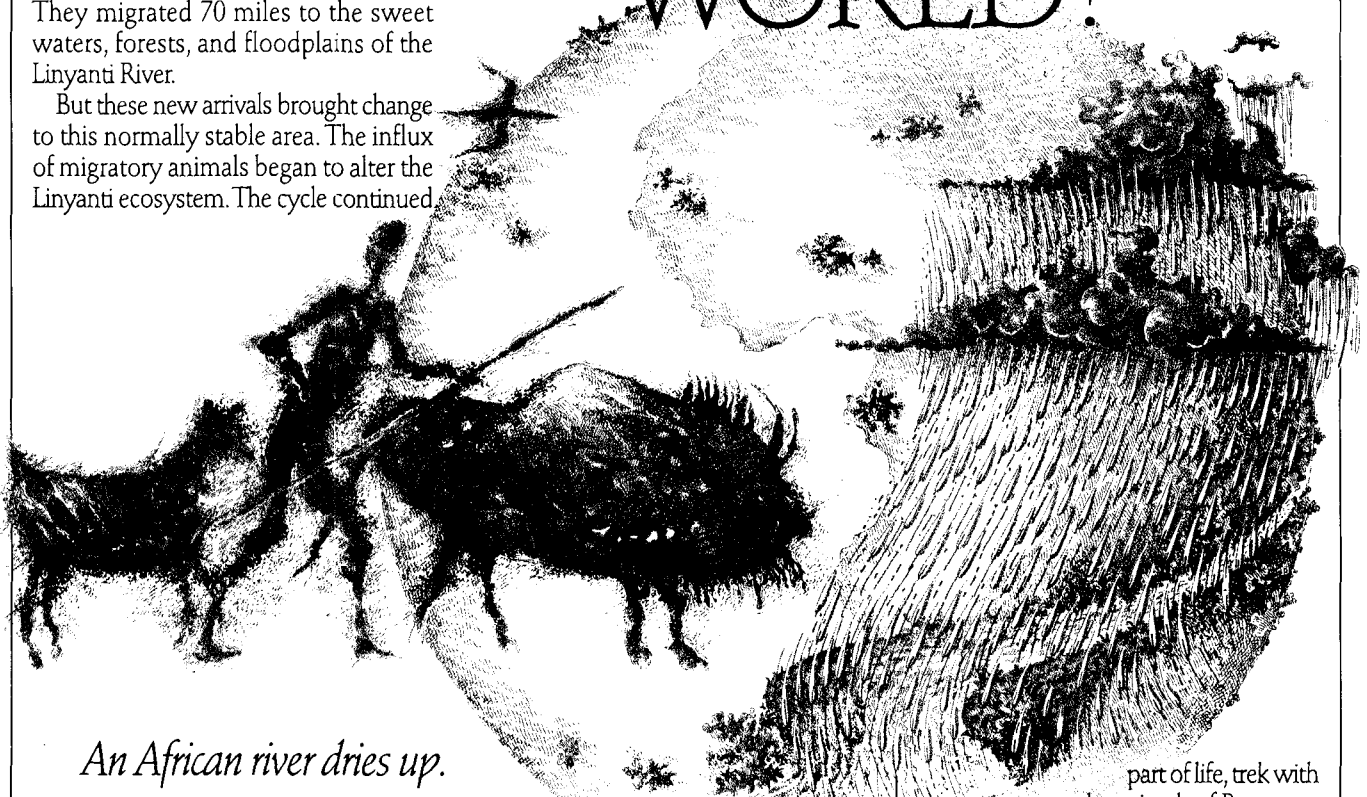
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